TENTATIVELY CLASSIFIED AS A LYNCHING
NOT ENTERED IN THE RECORD
MORE DATA REQUIRED

DETAILED LYNCHING RECORD

1960

TENNESSEE

Near Winchester, Franklin County, on August 27, the body of William Eanes, 26, Negro, and a trucker, was found in a lake. He had been shot with three weapons, the state medical examiner reported.

Dr. W. J. Cors said the man had been shot in the heart with a shotgun, between the shoulder blades with a .45-caliber pistol, and in the stomach with either a .32 or .38 caliber weapon.

(W. Va.)
From the Clarksburg/Telegram
August 29, 1960 (270)

9585

Mystery Shrouds Negro's Death

The Pittsburgh Courier

Was Howard Graduate Dixie Lynch Victim?

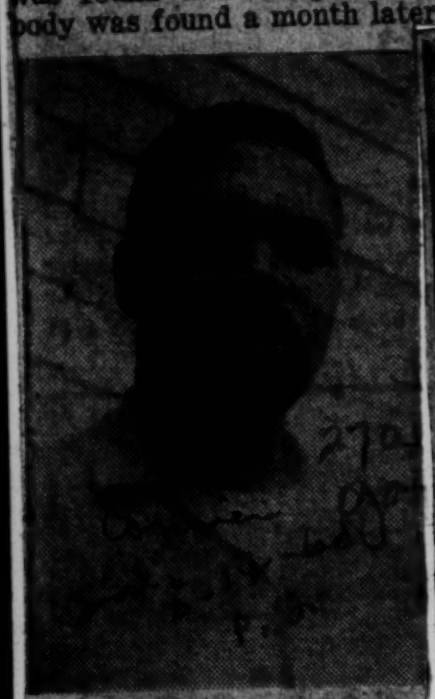
Pittsburgh, Pa.

May 14 - 1960

By TREZZVANT W. ANDERSON

CAMILLA, Ga.—Is 40-year-old Elijah Wright, a graduate of Howard University, the first Negro lynched in Dixie in 1960?

Was he beaten to death and then carried some seven miles from where his car was found and dumped in the delapidated farm shack where his badly decomposed body was found a month later?



HANDLED BODY — Youthful mortician William M. Carroll of Camilla, Ga., a graduate of the Atlanta College of Mortuary Science and former student at A. and T. College, Greensboro, N. C., handled the corpse of Elijah Wright, Camilla resident and Howard University graduate, found badly decomposed in a mysterious death in a dilapidated shack on U. S. 19 last March. — Anderson Photo.

DEATH HOUSE—This is the deserted shack on U. S. Highway 19 near Baconton, Ga., where the decomposed body of Elijah Wright, Howard University graduate and Albany, Ga., Marine Supply Center employe, was found a month after his mysterious disappearance. Was he lynched and dumped in this shack? Nobody knows the answer . . . yet. — Anderson Photo.

Those yet unanswered questions are on every Negro lip in Mitchell County and in adjoining Dougherty County, where the dead man held one of the two top jobs filled by Negroes at the Albany Marine Supply Center.

■

SOME MEMBERS of his family believe, definitely, that foul play was involved.

The Georgia Bureau of Investigation says Wright died of pneumonia, exposure, alcoholism and malnutrition. That is what was on the death certificate given by young mortician William M. Carroll, head of the Robert Jester Mortuary, here, who picked up the macabre body and prepared it for burial in March.

Wright, a former teacher and veteran of World War II, had gotten paid Feb. 15, and had started home from Albany to Camilla in his 1957 Pontiac auto. He never reached home. His car was found on U. S. Highway 19—a Florida bound highway — but there was no trace of Mr. Wright. Days went by and more days passed.

His mother and an aunt live here and he lived with them. His wife, Mrs. Ruby Jean Wright, teaches in Thomasville, Ga., and only came home on week-ends.

■

A FEW DAYS after his disappearance, word reached the family that he had been killed, and his body was at an Albany undertaker's. That was found to be untrue.

He had just vanished from the earth, leaving no clues in his abandoned car.

Then, March 13, like a bolt from the blue, came the gruesome discovery. A passerby, stepping into a deserted, rundown, dilapidated shack beside Highway 19, some seven miles from where Wright's car had been found a month earlier, made the discovery. Wright's body lying on the ground inside the shack.

The man called police at Baconton, a few miles down the road and inside Mitchell County. The car was found in Dougherty County. The Jester Mortuary in Camilla was called and they came and picked up the badly decomposed body.

■

AT THE FUNERAL home, Wright's mother identified it by the clothing worn. His wallet was gone, and there was only $6 on the body, although he just had gotten paid. There was a hole in his sweater over his left breast, but no bullet nor knife wounds were found by the GBI, nor the coroner, who investigated. Mortician Carroll told The Courier the back of his head was flattened.

A GBI investigation was carried out further at the laboratory in Atlanta, and the report said no signs of foul play were found. But there was no satisfactory explanation (up to now) as to how the body got to the shack, seven miles from his auto—as The Courier measured it.

His family thinks he was killed by unknown whites, although they have nothing tangible to go on. How did Elijah Wright get to that shack on the dark, cold rainy night?

■

IT IS HARD to conceive of his walking those seven miles in the rain without sobering up—if he were drunk.

Only Elijah Wright may have the answer, and he is dead.

Curiously, not a word of the affair has been printed or mentioned on radio or television. Why? That adds to the mystery. Was he lynched?

Mob Lynches 2 In India Court

BOMBAY, India, July 16 (AP).—Authorities said a youth accused of kidnaping a high caste Brahmin girl was lynched by a mob in a Bombay courtroom last night. A friend who had put up bail for him died beside him.

Officials gave this account:

The youth, Abdul Oomar, a member of the Miyan Moslem tribe, appeared in court at Halwad in the Kathiawar Peninsula.

A mob 2,000 strong, mostly Hindus, gathered outside the court. When it began to get out of hand, the magistrate sent for reinforcements, cleared the court and locked the doors.

The mob broke in, dragged Oomar and Haroon Raja from police hands and killed them.

27a 1960

KOREA

9577

Koreans Lynch Former Chief To Avenge Masacre of 1951

The Washington Post Washington D.C.

Fri. 5-13-60

SEOUL, Korea, May 12 (AP)—A former village chief was lynched last night in revenge for a massacre nine years ago during the Korean War, the Donghwa News Agency reported.

P. 13, 8th

Park Yung-bo, 44, a brewery owner and former chief of Shinwol-Myon, 160 miles southeast of Seoul, was burned to death by 70 relatives of the massacred.

It was the first vengeance death since the overthrow of Syngman Rhee's regime last month.

The news agency said the villagers visited the graves of the victims and then went to Park's house. They accused him of failing to bring to justice those responsible for the shootings, beat him, and then burned him.

Eight policemen and 18 soldiers rushed to the house, but were surrounded and attacked. More troops and policemen were called before order was restored.

The massacre — known as the "Kochang incident"—took place in February, 1951. The mountainous area was infested with North Korean Communist guerillas, who relied on the villages for food and supplies. South Korean authorities ordered three villages in the area cleared to deny their aid to the guerillas, and troops opened fire on villagers who refused to get out.

A court-martial later reported that 187 persons were killed in the massacre, but a Pusan newspaper this week quoted one survivor as saying at least 610 persons were killed, 70 per cent of them children and old men.

The massacre was never fully investigated. The National Assembly sent special investigators to Kochang shortly after the shootings, but they were ambushed and turned back by a band of army troops posing as Communist guerillas, the agency said. Later, after an investigation, an army colonel who was military commander of the area was sentenced to three years in prison for staging the ambush.

HOW MUCH HAS IT CHANGED:

SOMERSET COUNTY, MD.

The AFRO revisits the site of a brutal lynching which occurred 30 years ago and, and finds the area still "the shame of Maryland.

By Carl Murphy

We drove down Main Street of Princess Anne, Md.

It was a hot Saturday afternoon and the shoppers were not numerous.

Then from the back of the auto a voice spoke.

"See that tree, that's where a mob hanged a colored man, dragged the body through the streets, cut off his ear, plucked out his gold teeth, stripped his body and burned it in oil.

Police and fire departments were in on it.

"Members of the mob were known. None was punished except in his own conscience."

The Princess Anne Lynching of George Armond took place in late October, 27 years ago.

The name of the victim is forgotten by most people. He was hanged from a telegraph cable not from a tree.

No matter about such details. The fact remains that older Marylanders associate Princess Anne with lynching, and remember that its leading citizens justified the awful crime as "necessary to keep colored people in their place."

Four **Afro** reporters and a photographer found the blistered mutilated body in a lumber yard, were first to notify the man's family, arranged for burial in Potter's Field, after local undertakers refused to handle the body.

* * *

Two years before (December, 1931) there had been the same kind of brutal lynching in Salisbury—miles from Princess Anne.

The Catholic Review of December 19, 1931 hastily remarked that Salisbury is "not" in Maryland.

H. L. Mencken snarled, "The Ku Klux Klan has been laughed out of all the rest of Maryland except the lower counties of the Eastern Shore.

"Certainly," said Mencken, "it would be silly to think of the Salisbury lynching as an isolated incident. It was the natural culmination of a degenerative process that has been in progress for years.

"The lower shore," Mencken added, "has been sidling out of Maryland into the orbit of Tennessee, Arkansas, Mississippi and the more flea-bitten half of Virginia."

Louis Azrael, of the Post, called Somerset County "Lynch Land" and added:—

"From the highest to the lowest, leaders expressed no regret for lynching, but only for the unfavorable attention it had brought the Eastern Shore."

* * *

There have been many improvements in Somerset County's race relations these thirty years.

But last week a thirsty Philadelphia music teacher was arrested and kept in jail two days for asking for a bottle of soda in a station cafe.

No local lawyer could be found to defend her, no local bondsman to furnish bail.

So Princess Anne is in the unfavorable news spot again, and the stories of 30 year old lynchings are revived.

* * *

How much has the Somerset County changed?

Well, there are still "White Ladies' Rest Room" signs in the Court House.

So the change is one of degree, not one altogether to decency and civilization.

Barbarism and savagery have been replaced by a veneer of culture. Scratch the surface and ugliness is still there. For example, 6 years after the Supreme Court's decision, no children are in integrated public schools.

The best people of Princess Anne and Salisbury have yet an opportunity to assert themselves. It may be difficult, but it is extremely worthwhile.

"Sky Blue Waters" and "Gracious Living" need association with Salisbury and Princess Anne, not alone with National and Hamms' Beers.

9586

— An Editorial —

They Got Away With Murder!

Parker Lynchers Thumb Noses at FBI

Mississippi's Shame . . .
The Pittsburgh Courier
America's Disgrace
Pittsburgh Pa

MISSISSIPPI'S FLOUTLAWS have once more brought shame to a shameless state and disgrace to a helpless America. When a Federal grand jury of Mississippi floutlaws refused to consider the direct and substantial evidence submitted by the Federal Bureau of Investigation connecting Mississippi officials with the lynch-murder of Mack Parker, America, the Communists, and the rest of the world could point with accuracy at the most lawless spot on the face of the globe.

Miserable Mississippi, last in literacy, last in per capita income, last in every phase of civic endeavor among the 50 states, has once more criminally besmirched our flag before all the nations of the world. She has proved once again that among her highest and lowest classes, all sense of human decency has been lost.

• One would have thought the sadistic murder of Emmett Till and the world-wide reverberations to that would have taught a state full of adult delinquents and criminals a lesson. But such was not the case. The callous conscience of Mississippi is impervious to world condemnation, to say nothing of Christian ethics. Mississippi represents what is left of the beast in man.

The facts of the Mack Parker murder were known. With the greatest speed and accuracy the FBI moved into Mississippi and ran down the murderers. The information was turned over to the state. The district grand jury refused to even look at the FBI file. The district judge excoriated the United States Supreme Court.

• Rebuffed on the state level, the Attorney General's office sought to prosecute under civil rights laws enacted during the reconstruction period. All persons who have seen the FBI files know that county officials were implicated in the murder. But here again, the judge, a Federal judge, too, admonished the witnesses that they didn't have to answer the questions put by United States attorneys. So witnesses, aware of a murder, and of the murderers, took cover under the Fifth Amendment. The grand jury let the murderers go scot free.

• The blood of Mack Parker stains the hands of every official in Mississippi from Gov. J. P. Coleman on down.

• It stains the hands and defiles the heart of every child in Mississippi.

"Inasmuch as ye have done it unto the least of these, my children, you have done it unto Me." Thus spoke Christ.

• In murdering Mack Parker, Mississippi has again placed Christ upon the cross.

A stunned world will never be able to understand. Africans, Asians, Europeans stand aghast, observing crimes in Mississippi which challenge history for comparisons of bestiality.

Mississippi may think it has gotten away with something so far as Mack Parker, so far as Negroes are concerned. That is wrong. Mack Parker is dead and cannot feel the pain. Negroes can survive the hurt, but they have done no wrong. It is our common country that is hurt because:

MISSISSIPPI GOT AWAY WITH MURDER!

A 'Serious Injustice,' Says Rogers

The Pittsburgh Courier

U. S. Keeps Eye on Mack Parker Case

WASHINGTON (ANP) — The United States Department of Justice is still considering ways in which the Federal Government can re-enter the Mack Charles Parker case.

A "serious injustice" has been done in this case, said Atty. Gen. William Rogers at his press conference last week. "As long as that kind of injustice exists it should not be dropped."

Mack Charles Parker was dragged from his jail cell in Poplarville, Miss., last year by a mob, lynched and his body thrown in the river on the night before he was scheduled to face trial for the alleged rape of a white woman.

THE FBI stepped into the case and made an investigation, turning its findings over to local officials. The information was later turned over to an all-white Federal grand jury in Mississippi which failed to act on the case.

The Attorney General said he would not be in favor of making public the FBI report on the Poplarville case. This would set up a dangerous precedent.

It would give the prosecutor more power than ever before. By opening up confidential reports on this case he said, the government would be giving the prosecutor the right to demand such reports on any case where the grand jury action did not meet his approval.

■

"I DON'T want to disclose further action by the Department in this case," concluded Rogers.

The American Civil Liberties Union in New York asked Attorney General Rogers not to bow to requests that he publicly release the FBI's report.

"To do so would mean that the Federal Government is adopting the philosophy of the ends justifying the means, for public disclosure of the FBI file would be directly contrary to the constitutional principle that accusations against people are to be handled through the judicial process," the ACLU said in a letter released by its executive director, Patrick Murphy Malin.

The ACLU statement asserted: "We understand and deeply sympathize with the NAACP and others who press this action on you . . . Outraged as we are at this resort to violence, we urge that the FBI report in the Parker case not be publicly released. To do so would mean that the Federal Government is adopting the philosophy of the ends justifying the means, for public disclosure of the FBI file would be directly contrary to the constitutional principle that accusations against people are to be handled through the judicial process."

9580

Poplarville Lynching Details Bared By FBI

Alabama Journal Montgomery, Ala.

Parker Was Shot In Mississippi, Witness Stated

JACKSON, Miss. (UPI)—A long-secret FBI report on the lynching of Negro Mack Charles Parker last April contains statements from three men that they were involved in certain events connected with his abduction from jail, United Press International learned today.

The three were among 23 white men listed in the report as "known and suspected participants in the abduction" of Parker from the Poplarville, Miss., jail.

The FBI report was read today by a UPI reporter. It was completed after a month-long FBI investigation last summer.

None of the statements contained

If Parker was killed after being taken across state lines.

Another statement in the FBI report was from a farmer who said Parker was driven across the Pearl River into Louisiana before being shot and dumped into the river 20 miles west of Poplarville.

He said he attended a meeting where the lynch plans were made on the night of April 24. He said he stood outside the jail as Parker was abducted, and followed in another car when Parker was taken to the river.

He said the car containing Parker slowed down as it approached the river bridge but picked up speed and crossed the bridge when another vehicle approached. He said the car immediately turned around and returned to the Mississippi side of the bridge, where Parker apparently was shot.

The third statement was from another farmer who said he attended a pre-lynch meeting and that the killers used his car to transport Parker to the river. He said 30 or more persons attended the meeting, which was held in a rural area west of Poplarville. He said "several volunteered" to go into the jail to get Parker.

Two of the 23 suspects were said to have visited the husband of Parker's alleged rape victim in Hattiesburg the day before the lynching to invite him to join the mob.

The husband was quoted as saying he refused the invitation and "told the men that my wife was not sure and had not identified Parker as the man who raped her."

The FBI report contained statements from two prisoners in the jail who claimed to have recognized some of the mob members. A prisoner said one of the abductors "appeared to be excited and enjoying himself."

Jury Instructed On Kidnaping Law

Alabama Journal

BILOXI, Miss. (UPI) — The federal grand jury investigating the Mack Charles Parker lynch case returned to the courtroom again today for instruction on specific points of law.

District Judge Sidney Mize instructed the jury for 15 or 20 minutes today on kidnaping and violations of the federal Lindbergh law.

Mize told jurors unless someone is kidnaped and taken across a state line, "there is no crime of kidnaping under the Lindbergh law."

could get some items wholesale. He said he assumed that Younger would have reimbursed him for any such purchases.

Politics entered the hearing when Hixon related numerous incidents in which he said Younger and Asst. Conservation Director Joe Kilgore sought to harass and embarrass him, and said he asked Younger for permission to talk to the governor about the situation.

"WOULD FIRE ME"

"Mr. Younger told me he would his family bodily harm if they did not get the keys.

He told the FBI that if he repeated his statement in court he "would have to leave the Poplarville area permanently in order to avoid possible violence to himself or his family."

A federal grand jury at Biloxi, Miss., currently is invetigating the lynching. A federal judge advised the jury this week it could indict on civil rights or conspiracy charges only if a law officer was involved in the lynching.

The judge also said that the only other possible federal charge would be under the Lindbergh kidnap law, which could be used

Biloxi Lynch Jury Begins Second Week

Jackson Daily News Jackson, Miss.

Thirty Witnesses Scheduled; May Continue To Use 'Fifth'

BILOXI, Miss. (UPI) — A federal grand jury today opened the second week of its investigation of the Mack Charles Parker lynching.

About 30 witnesses are scheduled to be heard this week before the probe's scheduled conclusion Thursday or Friday.

Many of them have instructions from their attorneys to invoke the Fifth Amendment rather than answer questions put to them by U. S. attorneys.

The amendment was invoked scores of times last week by witnesses from the Poplarville area. Parker, a Negro was lynched at Poplarville April 25 by a band of white men who dragged him from his jail cell.

A dispute between four witnesses and prosecutors over use of the amendment developed and most of last Thursday was devoted to a hearing on the matter before U. S. Judge Sidney Mize. He said no witnesses can be compelled to give answers that would be self-incriminating.

During the hearing the four witnesses were represented in the courtroom by 18 attorneys.

A reliable source has told UPI that a battery of top Mississippi criminal lawyers would defend the accused lynchers if they are indicted and brought to trial.

At least 12 members of the 23-man jury must vote for an indictment in order to bring charges.

Man Is Quizzed By Grand Jury

The Commercial Appeal

Witness 'Spends Day' With Group Investigating Lynching Case

Memphis, Tenn.

By United Press International

BILOXI, Miss., Jan. 5. — A young Pearl River County, Miss., mechanic kept under surveillance last summer by the FBI was questioned for hours behind closed doors Tuesday by a Federal Grand Jury investigating the lynching of Mack Charles Parker.

The witness, Jeff Lee, about 32, told newsmen during a luncheon recess that he could not understand why he was questioned at such length by the grand jury. He was before the grand jury for four hours during the morning—the only witness called before lunch, and went back before the grand jury this afternoon.

"I think they like my company," Lee joked to reporters.

Previously Questioned

Lee, his father and several other white men were kept under surveillance and were interrogated many times by FBI agents last summer during the FBI investigation of the April 25 lynching at Poplarville, Miss.

The Federal grand jury is sitting to determine whether any indictments charging Federal law violations should be returned. A county grand jury at Poplarville refused to consider indictments against a number of suspects named by the FBI in a 378-page report. The suspects have never been named publicly.

United States Judge Sidney Mize, who empaneled the grand jury at the request of the Justice Department, instructed grand jurors Monday that if law enforcement officers conspired with individuals to seize Parker and kill him then both United States civil rights and conspiracy statutes were violated.

Ex-Sheriff, Deputy Subpenaed

The sheriff of Pearl River County at the time of the lynching, Osborne Moody, and his deputy and jailer, Jewel Alford, were in the courtroom Tuesday. Both have been subpenaed as witnesses before the grand jury. Forty-seven witnesses have been called.

Parker, 23-year-old Negro truck driver, was seized from an unguarded jail cell by a mob of masked white men who beat him, shot him and threw his body in the Pearl River. Parker was awaiting trial on charges of raping a Petal, Miss., white woman.

The FBI report also was expected to be submitted to the grand jury by three United States attorneys assisting in the case. The state grand jury declined to ask for the FBI report. The 23-member Federal grand jury, drawn from South Mississippi, includes one Negro.

An attorney who told newsmen he has been retained by several subpenaed witnesses said he had advised eight of his clients to plead the Fifth Amendment when questioned by the grand jury. At least one of four witnesses called Monday said he had invoked the Fifth Amendment.

SILENCE URGED IN PROBE

Lynch Witnesses May Plead Fifth

BILOXI, Miss. (UPI)—A lawyer said today he has advised eight prospective witnesses to refuse to answer questions of a federal grand jury investigating the lynch-murder of a young Negro.

The lawyer, who asked that his name not be used, told a UPI reporter he advised eight of his clients to plead the Fifth Amendment when questioned by U.S. attorneys about the abduction and murder last April 25 of Mack Charles Parker, 23. At least one witness questioned by the grand jury Monday said he followed the lawyer's advice.

NEGRO ON JURY

The 23-man grand jury, which includes one Negro, began its investigation two months after a county grand jury at Poplarville, Miss., refused to take any action in the case.

Parker, a Negro truck driver accused of raping a young white woman, was dragged from his jail cell at Poplarville by a mob of masked men. He was shot to death and his body dumped in the Pearl River near Bogalusa, La.

4 WITNESSES HEARD

Four witnesses, including the husband of the woman Parker was accused of raping, went before the grand jury Monday. The hearing was recessed while Jeff Lee, a young mechanic, was in the room, and Lee was the first witness today.

Lee said the FBI, which investigated the lynching for a month last summer, accused him of being in Hattiesburg, Miss., the day before Parker was abducted, "looking for somebody to join the gang." Lee said he had gone to Hattiesburg only to look for a job.

The witnesses heard Monday, all from the Hattiesburg area, were reported to have rejected invitations to attend a meeting at which the lynching allegedly was planned.

Federal Judge Sidney Mize told the grand jurors they may indict on civil rights and conspiracy charges only if it is shown that law enforcement officers conspired with the lynch mob.

Top Legal Aid Ready In Lynch

If Indictments Come, State's Best Talent Speak For Suspects

BILOXI (UPI) — A battery of top Mississippi criminal lawyers will defend the accused lynchers of Negro Mack Charles Parker if they are indicted by a federal grand jury, an authoritative source told UPI today.

The jury is expected to end a two-week investigation of the case late this week and its vote on whether to bring charges will represent a showdown is the Justice Department's nine - month fight to bring several white men to trial.

Most of the 15 or more witnesses who went before the jury this week had legal representation. Instructions to invoke the Fifth Amendment rather than answer questions were received by suspects and other witnesses alike.

A dispute between prosecutors and four witnesses over use of the Fifth Amendment erupted and most of Thursday was devoted to a hearing on the matter before U. S. Judge Sidney Mize. He repeated his earlier instructions that no witness can be compelled to give answers that would be self-incriminating.

During the hearing the four witnesses were represented in the courtroom by 13 attorneys including state Democratic Chairman Bidwell Adam and Stanford Morse, a prominent south Mississippi attorney.

A source has told UPI that scores of Mississippi lawyers had offered their services if trials were to be held. Apparently they feel the case is shaping up as a fight between the state and the federal government.

The state took no action against the 23 white men listed by the FBI as "known and suspected participants" in the killing of Parker, who had been jailed at Poplarville on a charge of raping a white woman. The Justice Department began efforts to bring federal charges after a county grand jury at Poplarville ignored the matter.

Lindbergh Law Explained To Parker Jurors

Fifth Amendment Question Cleared, Witnesses Freed

BILOXI, Miss. (AP) — The federal grand jury investigating the Mack Charles Parker lynching started a two-day recess Saturday after fortifying itself with legal interpretations of the Lindbergh law and Fifth Amendment provisions.

Jurors will resume their secret session Monday.

The jury Friday asked U.S. Dist. Judge Sidney Mize questions on kidnap statutes. Mize said the Lindbergh law would apply only if a person were kidnaped and taken across a state line for someone's benefit or to injure the person abducted.

If there were no intrastate complication, he said, Mississippi law would cover the offense.

Two days ago the jury left its locked room for a meeting with Mize, four witnesses and about a dozen attorneys. The judge was asked when a witness could invoke the Fifth Amendment in refusing to answer jury questions. Mize said the witnesses could do so at any time if he felt an answer would be self-incriminating.

SOME RECALLED

Mize empaneled the jury last Monday. Apparently, about half a dozen witnesses were called each day the rest of the week. Some were recalled repeatedly.

Subpoenas have been issued for witnesses into next Friday.

The jury dismissed 10 witnesses after Friday's hearings. They were former Sheriff Osbourne Moody, John Reyer, Robert James Wheat, Mrs. Forrest Burg, Tully Dunn, Christopher Reyer, Jewell Alford, Bolivar Orr, Frank Wheat and T. B. Stringfellow.

Grand Jury Goes Into Lynch Case

Federal Judge Outlines Possible Civil Rights, Conspiracy Avenues

By United Press International

BILOXI, Miss., Jan. 4 — Federal Judge Sidney Mize told a Federal Grand Jury Monday it may indict on civil rights and conspiracy charges if law enforcement officers conspired with the mob that lynched Negro Mack Charles Parker.

His instructions came as the special grand jury, which is all male and includes one Negro, began investigating the death of Parker, who was dragged from his Poplarville cell last April by masked men. He was later found shot to death in the Pearl River.

Several Witnesses Heard

First witness to appear before the jury Monday was the husband of a white woman Parker was accused of criminally assaulting. He had told officers earlier he rejected an invitation to attend a meeting at which lynch plans were made.

Also testifying were William Lowell Mooney of Petal and Charles M. Douglas of New Augusta, whose connection with the case was not disclosed. Testimony by two other witnesses was not completed before the jury recessed for the day.

A state grand jury previously refused to consider indictments in the case.

In his instructions, Judge Mize told the jurors that it "is not a violation of the civil rights act is individuals conspire to seize a person from a state jail or from the sheriff and kill him."

"It is murder punishable by the state," he said.

Instructing the jury, Judge Mize said:

"If individuals conspired with the sheriff or any of his deputies of Pearl River County to seize Mack Charles Parekr and injure or kill him, then that was a violation of Section 242 of Title 18 of the United States Code and all conspirators, along with the sheriff or deputy in the conspiracy, would be guilty of a crime."

May Involve Another Law

He said further "If the sheriff or any deputy acting under color of law conspired with individuals to injure or kill Mack Charles Parker then there would be not only a violation of Section 242 Title 18 but also would be a violation of the general conspiracy statute."

That satute, he said, provides it is a crime for two or more persons to "consiper to injure, oppress, threaten or intimidate any citizen in the exercise or enjoyment of any right or privilege secured to him by the Constitution or the laws of the United States."

Evidence gathered in an extensive FBI investigation of the lynching has not been disclosed. Presumably, however, United States attorneys were prepared to turn over a thick FBI report on the case to the grand jury.

Parker Grand Jury In Two-Day Recess

Fortifies Itself With Legal Interpretations

BILOXI, Miss., Jan. 9.—(AP)—The Federal Grand Jury investigating the Mack Charles Parker lynching started a two-day recess Saturday after fortifying itself with legal interpretations of the Lindbergh Law and Fifth Amendment provisions.

Jurors will resume their secret session Monday.

The jury Friday asked Federal Judge Sidney Mize questions on kidnap statutes. Judge Mize said the Lindbergh Law would apply only if a person were kidnapped and taken across a state line for someone's benefit or to injure the person abducted.

If there were no intrastate complications, he said, Mississippi law would cover the offense.

Two days ago the jury left its locked room for a meeting with Judge Mize, four witnesses and about a dozen attorneys. The judge was asked when a witness could invoke the Fifth Amendment in refusing to answer jury questions. Judge Mize said the witnesses could do so at any time if he felt an answer would be self-incriminating.

Judge Mize empaneled the jury Monday. Apparently, about half a dozen witnesses were called each day the rest of the week. Some were recalled repeatedly.

Subpenas have been issued for witnesses into next Friday.

Parker, 23-year-old Negro truck driver, was dragged from jail in Poplarville last April by a mob of hooded men. Ten days later his bullet-punctured body was pulled out of Pearl River, 20 miles west of Poplarville. The river separates Mississippi and Louisiana.

The abduction came two days before Parker's scheduled trial on charges of raping a pregnant, white mother.

9581

Judge Sets Date:

Finished Or Not, Lynch Case Jury Recesses Friday

Journal and Guide
Norfolk, Va.
Sat. 1-16-60.

United Press International

BILOXI, Miss. — Judge Sidney Mize said Monday the Federal grand jury probing the Mack Charles Parker lynching will be recessed Friday.

Judge Mize told United Press International he has legal commitments elsewhere next week and the recess will be called regardless of whether the jury has completed its work.

THE INVESTIGATION of the Poplarville lynching is expected to be completed this week and routine matters before the grand jury probably will be postponed until next month.

If the grand jury winds up the lynch probe on schedule any indictments in the case will be returned when the recess is called.

AMONG WITNESSES going before the grand jury Monday was Dwight Ladner who was a prisoner in the Pearl River county jail when Parker was taken from his cell by a group of masked white men last April 25 and slain.

Thirty witnesses are to be heard this week.

Keys Given To 4 Men, It Reveals

Journal and Guide
Norfolk, Va.

Asserts State Line Crossed—Planning Of Killing Cited

Sat. 1-16-60.

JACKSON, Miss. (UPI) — A long-secret FBI report on the lynching of Mack Charles Parker last April contains statements from three men that they were involved incertain events connected with his abduction from jail, United Press International learned on Thursday.

The three were among 23 white men listed in the report as "known and suspected participants in the abduction" of Parker from the Poplarville, Miss., jail.

THE FBI REPORT was read by a UPI reporter. It was completed after a month-long FBI investigation last summer.

None of the statements contained admissions that the authors had themselves gone to the jail to get Parker, a truck driver who was being held on a charge of having raped a white woman.

ONE OF THE THREE men was quoted as saying that, because of fear, he gave jail keys to four men who came to his home the night of April 24, a few hours before the lynching. The report said he told FBI agents he knew the men "wouldn't hesitate" to do him or his family bodily harm if they did not get the keys.

He told the FBI that if he repeated his statement in court he "would have to leave the Poplarville area permanently in order to avoid possible violence to himself or his family."

A FEDERAL grand jury at Biloxi, Miss., currently is investigating lynching. A federal judge advised the jury this week it would indict on civil rights or conspiracy charges only if a law officer was involved in the lynching.

The judge also said that the only other possible federal charge would be under the Lindbergh kidnap law, which could be used if Parker was killed after being taken across state lines.

ANOTHER STATEMENT in the FBI report was from a farmer who said Parker was driven across the Pearl River into Louisiana before being shot and dumped into the river 20 miles west of Poplarville.

He said he attended a meeting where the lynch plans were made on the night of April 24. He said he stood outside the jail as Parker was abducted, and followed in another car when Parker was taken to the river.

HE SAID THE car containing Parker slowed down as it approached the river bridge but picked up speed and crossed the brdge when another vehicle approached.

He said the car immediately turned around and returned to the Mississippi side of the bridge, where Parker apparently was shot.

THE THIRD statement was from another farmer who said he attended a pre-lynch meeting and that the killers used his car to transport Parker to the river.

He said 30 or more persons attended the meeting, which was held in a rural area west of Poplarville. He said "several volunteered" to go into the jail to get Parker.

TWO OF THE 23 suspects were said to have visited the husband of Parker's alleged rape victim in Hattiesburg the day before the lynching to invite him to join the mob.

The husband was quoted as saying he refused the invitation and "told the men that my wife was not sure and had not identified Parker as the man who raped her."

The FBI report contained the statements from two prisoners in the jail who claimed to have recognized some of the mob members. A prisoner said one of the abductors "appeared to be excited and enjoying himself."

Parker Lynching Is Year Old But His Slayers Remain Free

The Commercial Appeal
Memphis, Tenn.
Mon. 4-25-60

By DOUGLAS STARR
Associated Press Staff

POPLARVILLE, Miss., April 24.—It's just one year since a masked mob lynched Mack Charles Parker, a Negro accused of Mississippi's most heinous crime: criminal assault of a white woman.

But, no one has been indicted or tried.

If you believe old-timers in this part of the country, no one will be.

Around midnight a year ago Monday, the mob dragged Parker from his second-floor cell in the Pearl River county jail. Nine days later, a boatman found the 23-year-old truck driver's body in nearby Pearl River.

He had been shot.

By invitation of Gov. J. P. Coleman, the FBI investigated for weeks. It submitted a voluminous report — presumably telling who the lynchers were —to the Justice Department in Washington. The Justice Department passed the file along to Governor Coleman, saying no Federal laws had been violated. Governor Coleman gave it to Pearl River authorities.

State's First In 20 Years

A Pearl River County grand jury failed to indict.

Weeks later, a Federal grand jury—looking into civil rights violations—failed to indict.

That, say citizens of the area generally, will be that. Mississippi's first lynching in 20 years and the second in Poplarville history still is in the active file, however.

All this started back on Feb. 24, 1959. That's the night Parker and some cronies caroused in Poplarville until about midnight, then started toward their homes in nearby Lumberton along Highway 11, well-traveled New Orleans-to-Washington route.

Outside town, his friends told the county attorney later, they saw a parked car. They said Parker shined a flashlight into the car, saw a white woman and said he was going back to get her.

The woman, 24-year-old pregnant wife of a musician, was waiting with her 5-year-old daughter in the stalled car. Her husband had gone to Lumberton for a tow truck.

Not long afterward, the woman told the county attorney, a Negro drove up, forcing her and the child to go with him. Some miles away in a pine forest which blankets much of the county the Negro assaulted the woman at gun point.

She pointed out Parker in a lineup the next day. He was indicted and jailed 100 miles away for safety. A few days before his trial, Parker was returned. Sheriff W. O. Moody and Circuit Judge Sebe Dale, the trial judge, felt the Negro was in no danger.

Reasons Suggested

Why did feeling arise? Well, townspeople said later many persons objected to Parker's Negro attorney, R. Jess Brown of Vicksburg. They didn't want him questioning a white woman about criminal assault or attacking her testimony.

And, many also believed that any conviction of Parker would be overturned in Federal Appeals Court on grounds no Negroes served on the trial jury.

What happened immediately before the lynching is based on widely heard rumors that a large group of citizens met to discuss the situation at a farm. The meeting broke up and soon seven men broke into the unguarded courthouse, carried Parker away. These rumors said the lynchers dumped the body into the river from a bridge 20 miles away. They shot him twice, apparently with a high-powered rifle since no bullets were recovered.

That's when Governor Coleman called in the FBI.

FBI Report Called 'Hearsay' By Lynching Prosecutors

COLUMBIA, Miss. — (UPI) — Prosecutors said Saturday the FBI report in the Poplarville lynch case is "hearsay" and will be considered as such when a grand jury takes up the case.

But District Attorney Vernon Broome emphasized he had "every intention" of giving the federal agents who compiled the report a chance "to present their evidence to the grand jury."

Broome said the report, as a document, is "entirely hearsay evidence." He said its contents will be unfolded to the Pearl River County grand jury through testimony, apparently mostly by FBI men. He said the jury could then de-

COLEMAN

cide whether it wants to hear the testimony of other witnesses.

"I am definitely preparing a case," Broome said. "It will be brought before the grand jury."

Gov. J. P. Coleman revealed he sent the records by special messenger to Broome. Broome said Coleman instructed him to reveal its contents to no one except Pearl River County Attorney Bill Stewart.

The governor said he sent the records to allow authorities time to subpena witnesses and prepare evidence for presentation to the grand jury which meets Nov. 2.

Broome said information was unavailable on when arrests might be made in the case.

The report, 370 typewritten pages, is believed to name at least seven Mississippi white men who were in the mob that dragged Negro Mack Charles Parker from the jail here last April 25. Parker's body was found May 4 in the Pearl River.

The Negro was awaiting trial on charges he raped a Petal, Miss., white woman, Feb. 24 in the presence of her daughter.

(A Special Editorial)

Lest We Forget!

One year ago, this week, a blood-thirsty armed and masked white mob, operating under the cover of midnight, walked into an unguarded jailhouse in Pearl River, Miss., and dragged from a second-floor cell a screaming young Negro war veteran, Mack Charles Parker.

Nine days later, Parker's bleached, bloated, water-soaked and bullet-pierced body was found floating in Pearl River (which separates Mississippi from Louisiana. He had been lynched.

Mississippi's shame—a bloody smear across the face of the United States during a year of world uncertainty—was investigated by the Justice Department. Facts were gathered, mob members' identities were learned, and Negro people everywhere believed and hoped that justice would prevail.

FBI records were turned over to Mississippi's Governor, then to a Pearl River grand jury and finally to a Federal grand jury. Nothing has happened. Both grand juries found insufficient evidence to return indictments despite the supposedly thorough investigation of the Justice Department's agents.

And so, one year later, Mack Charles Parker's death is unavenged; his lynchers go unpunished, and the records of the investigation are locked in the inaccessible files of the Pearl River County grand jury, the Federal grand jury and the Justice Department.

The incident is still a bloody smear across the unwashed face of America!

F.B.I. SAYS IT GOT LYNCH ADMISSION

Hoover Tells Inquiry That Members of Mississippi Mob Were Identified

By C. P. TRUSSELL

Special to The New York Times.

WASHINGTON, April 1—J. Edgar Hoover has told Congress that the Federal Bureau of Investigation obtained admissions from some of the men who took part in the kidnapping of a Negro in Mississippi last year.

The body of the Negro, Mack Charles Parker, accused of raping a white woman, wah found ten days after he had been kidnapped by masked white men from a jail in Poplarville, Miss. He had been shot to death.

Mr. Hoover, in testimony before a House Appropriations subcommittee that was released today, said the F. B. I.'s evidence, including identifications of members of the mob and "admissions of participation from some of them," had been turned over to Mississippi authorities.

Two grand jury investigations followed. A state grand jury, Mr. Hoover, the F. B. I. director said, "ignored" the case. A Federal grand jury, convened later, declined to return an indictment.

The Federal grand jury had been assigned only to see whether a Federal or interstate case was involved. It reported it was unable to determine whether a Federal crime was involved.

Some Were Identified

As Mr. Hoover put it in his testimony, the situation was as follows:

"We the F. B. I. were able to establish the identity of a number of members of the mob who participated in the abduction of Parker and obtained admissions from some of the participants."

Mr. Hoover, continuing his testimony, emphasized that the F. B. I. had received "the fullest cooperation" from Gov. J. P. Coleman and the Mississippi state highway patrol in the effort to find the kidnappers and lynchers. He added:

"We encountered open hostility from some officials in the Poplarville area as well as from some of the townspeople."

As to what followed the turning over of the F. B. I. evidence to Mississippi state authorities, Mr. Hoover said:

"The Pearl River County grand jury met at Poplarville in November of 1959 and ignored the case. A Federal grand jury met at Biloxi, Miss., in January of 1960 and considered the case but returned a no true bill.

"The case is still pending in the Department of Justice."

Rogers Also Testifies

Several days before the Hoover testimony, William P. Rogers, Attorney General, was asked about the status of the Parker case. Mr. Rogers previously had denounced the lack of Mississippi action. Mr. Rogers' testimony ran as follows:

"We do not have it [the Parker case] closed, but we do not have anything pending on it. We presented it to the grand jury and they voted no bill."

REPRESENTATIVE JOHN J. ROONEY, Democrat of Brooklyn and chairman of the panel —That was a Federal grand jury?

MR. ROGERS—Yes.

MR. ROONEY—You are not precluded from presenting it to another grand jury, are you?

MR. ROGERS—No.

MR. ROONEY—Do you intend to do that?

MR. ROGERS—That is one of the things we have under consideration. We have not made a decision on that yet.

9582

U. S. Grand Jury Opens Probe Today

Suspects, Details Of Lynching

Common Knowledge In Poplarville

By CLAUDE SITTON
© New York Times News Service

Biloxi, Miss., Jan. 3.—A federal grand jury investigation into the lynching of Mack Charles Parker will open here Monday amid growing national pressure for new civil-rights legislation.

A panel of 23 Mississippians will be chosen to decide whether the evidence warrants indictments for civil-rights violations. If 12 or more find that it does, the resulting trial will enable the Justice Department to bring out the full details of the crime.

The F.B.I. prepared a 378-page report on the case after a month's inquiry. This document has been kept secret, but the names of the suspects and details of the lynching are common knowledge in the Poplarville area.

U. S. Asked New Probe

According to the story accepted here, seven white men dragged their victim from the Poplarville jail last April and killed him with two shots through the chest.

The federal-grand-jury investigation was requested by the Justice Department after a Pearl River County grand jury failed last November to indict anyone for Parker's murder.

United States Attorney General Rogers said at the time that the County grand jury had called no F.B.I. witnesses. And County officials said the jurors had not even asked to see the F.B.I. report.

Rogers termed the handling of the lynching a "travesty on justice." He said he thought disclosure of the evidence would "shock" the nation.

Say Shooting Came At 1 A.M.

The actual lynching, according to sources with knowledge of the case, was carried out by seven Pearl River County white men about 1 a.m. Saturday, April 25. It took place only two days before the victim was to stand trial for the alleged rape of a young white mother, who was pregnant.

Parker, a slight youth of 23, was a pulpwood truck driver and cutter. He lived at Lumberton, 13 miles north of Poplarville. Officials said he had no police record.

The accused man's two attorneys were Negroes. The prospect that they would cross-examine the white mother in open court on her accusations against Parker was said to have aroused intense bitterness. The woman later told newsmen that she had no objection to such cross-examination.

Earlier Case Cited

Some people in the county realized that Parker might be freed by a federal court even if convicted. State law requires that jurors be drawn from voting rolls. And there were no Negro voters in the county.

The Supreme Court had thrown out the conviction of a Negro in Carroll County, Mississippi, a short time before on grounds that members of his race had been systematically excluded from jury service.

As the full moon rose over the gently rolling pine fields and pastures of the Pearl River Valley the Friday night of April 24, cars began to arrive at an unpainted farmhouse six miles from Poplarville. Soon there were 35 men or more, it was said.

The decision was made to "take the nigger out of jail."

No Guard At Jail

Paper slips, some blank and some marked, were placed in a container and shaken up. Those who drew the marked slips went to the jail. The others went home, not knowing who the lynchers would be.

As was the usual practice, no guard was stationed at the combination courthouse and jail. Entry was a simple matter once three of the men had obtained the keys through a contact.

Parker's fellow prisoners said the men, disguised in masks and gloves, clattered up the stairway at the rear of the second floor courtroom and into the cell block. One held a pistol.

After a brief scuffle Parker was dragged struggling and screaming down the stairway.

Four men tossed the Negro into a waiting four-door sedan, jumped into the car and drove away. Three others followed in another automobile.

The cars raced westward through the tung-tree orchards toward the Pearl River, boundary between Mississippi and Louisiana. They stopped just short of the bridge over the muddy river.

Parker was pulled from the car and dumped on the ground. Two shots through the chest ended his life. The men dropped the body into the river.

F.B.I. Moved Quickly

By Saturday afternoon R. W. Bachman, special agent in charge of the New Orleans office of the F.B.I., and a number of agents had arrived in Poplarville. Governor J. P. Coleman dispatched Highway Patrol Chief Bill Hood and a quarter of the patrol's force to the scene.

Justice Department officials said the investigation that followed was one of the most intensive in F.B.I. history and cost approximately $80,000.

Criticism of the probe was high at first. But residents of Poplarville seem less critical of the F.B.I.'s activities now.

Nine days after Parker was dragged from the jail, his body was found in a brushfall on the river's edge.

On May 25 the Federal Government withdrew from the case, saying that no federal law had been violated. Punishment of ordinary crimes, such as murder, is left to the states by the Constitution.

The F.B.I. report was turned over to Governor Coleman, who subsequently gave it to Vernon Broome, circuit prosecutor.

An 18-member grand jury was impaneled November 2 by Circuit Judge Sebe Dale in Poplarville.

Three days later the grand jurors went home. They had declined to hear F.B.I. agents, who had offered to appear without being subpoenaed.

Residents of Poplarville generally agreed with the grand jury's course. They pointed out that there would have been virtually no chance of convicting Parker's murderers had they been indicted. A trial, they contended, would only have served to embarrass the community.

"You couldn't convict the guilty parties if you had a sound film of the lynching," said one official.

2 Old Laws Studied

On the day the grand jury adjourned, the Justice Department announced that it would re-enter the case. Attorney General Rogers made it clear later that this reversal of the Department's previous position had resulted from Mississippi's handling of the case.

"It was a flagrant and calculated miscarriage of justice," he asserted. Rogers said any prosecution would be brought under one or both of two criminal statutes in the civil-rights field, which were written into law during the Reconstruction era.

The first provides a maximum prison term of 10 years and a $5,000 fine for those involved in a conspiracy to deprive someone of his civil rights. The second imposes a year's imprisonment and a $1,000 fine on State officials found guilty of such a violation.

An investigation of at least two weeks is expected to begin Monday after District Judge Sidney C. Mize empanels the grand jury.

Crowd hears charge—

Jury told to probe Parker lynching

BILOXI, Miss., Jan. 4 (AP)—An orderly, integrated crowd jammed a new federal courtroom today as 22 white men and one Negro formed a grand jury to consider possible indictments in the Mack Charles Parker lynching case.

Negroes and whites sat side-by-side on one side of the courtroom while groups of Negroes huddled together on the other side as Federal Judge Sidney Mize charged the jury.

The 22-year old Parker, accused of raping a pregnant white woman, was kidnaped from the Pearl River County jail at Poplarville last April. His body was found 10 days later near Bogalusa, La., in the Pearl River.

MIZE CAUTIONED the jury that all proceedings are secret unless indictments are returned.

Freddie Woodward was the only Negro on the jury.

Mize said Mississippi has the best record of any state except Nevada on crime prevention.

He said the laws of Mississippi and the United States are enforced "fairly and honestly" in the state "with justice to all."

MIZE READ from a typed document and told the jury its purpose is to determine if Parker's civil rights were violated.

The jury went into secret session at 11:15 a.m. (CST).

"Mize told the jury he "knew nothing of the facts" of the case or the nature of the evidence to be presented to the jury, "but, naturally, there has been so much publicity about it in the newspapers that I am familiar to a certain extent with what happened."

The question for the jury's determination, he said, "will be whether or not the civil rights statutes of the United States were violated by those who abducted him from the jail and caused his death."

MIZE STRESSED comparison of state laws and federal laws involved in the case. He pointed out that state law covers seizure of a person from a state jail.

He touched on possible collusion between the kidnapers and the sheriff's office and said if the raiders conspired with the sheriff or the deputies in seizing Parker and his resultant death, then all parties would be guilty of conspiracy and punishable under federal law.

U.S. Calls 44 To Consider Lynch Case

BILOXI, Miss., Jan. 2 (AP)—Court officials summoned 44 men to report Monday for possible duty on a federal grand jury to consider the Mack Charles Parker lynch case.

U.S. District Judge Sidney C. Mize said today he will begin empaneling the jury at 9:30 a.m.

The Justice Department re-entered the Parker case after the Pearl River County grand jury declined to act.

A hooded gang took Parker, a 22-year-old Negro truck driver of Lumberton, from the Poplarville jail last April. The abduction came two days before he was scheduled to be tried on a charge of raping a young white mother. Searchers found his bullet-punctured body several days later in the Pearl River.

A team of FBI men investigated but withdrew from the case after reporting no evidence was found that Parker was taken across a state line. The FBI prepared a detailed report of its investigation and gave it to Gov. J. P. Coleman. Coleman later turned the report over to Pearl River authorities.

The Justice Department is expected to direct the presentation of the case to the grand jury here.

Poplarville Plagued By Guilt, Fear Over Lynching, Mag Says

NEW YORK — The white population of Poplarville, Miss., is "wrenched by conflict between dread and guilt" over the lynching of Negro Mack Parker, a magazine editor declared Saturday.

Writing in the current issue of Look Magazine, Georgia-born editor George Leonard, Jr., said he found during a recent visit to Poplarville that people were "trying desperately to force the ugly matter from their conscious minds."

"The people of Poplarville were obviously trying to fool themselves. Some of the less educated already has woven a web of fantasy to protect them from their own feeling," Leonard wrote.

He said he was told by one man that "most people" in Poplarville think that the Parker case was "a frame-up by the NAACP" and that "there wasn't no rape and there wasn't no lynching."

The Parker case made international headlines last April when Parker was dragged from a Poplarville jail by a band of masked men two days before he was to go on trial for raping a pregnant white woman. Nine days later, his bullet-ridden body was recovered from the Pearl River.

Leonard said in Look that he was told by a Southern newspaperman that the local attitude supporting the lynching was not more general when the story broke than most of the local leaders are now willing to admit.

Parker Case Before Jury

BILOXI (UPI)—The question of whether the lynchers of Mack Charles Parker will be brought to trial rests with a federal grand jury which convenes here Monday.

A state trial on charges of murdering the Negro rape suspect was ruled out in November when the Pearl River county grand jury ignored the case.

One thing is certain: The federal jury will not ignore the lynching.

At least a score of persons, including some of the seven Pearl River county white men fingered by the FBI as part of the lynch mob, have been subpenaed to appear before the jury.

Witnesses' appearances have been scheduled in a period ranging from Monday through Jan. 14, indicating the jury will spend two weeks or more in the probe.

Two attorneys from the Justice Department's Civil Rights Division, Ben Brooks and William Kehoe, arrived here a week ago to assist U. S. Dist. Atty. Robert Hauberg of Jackson in preparing the case.

Parker, awaiting trial for raping a white woman, was dragged from a jail cell at Poplarville before dawn last April 25. His bullet-riddled body was later found in the Pearl River.

The FBI, using up to 60 agents, conducted a month-long investigation and turned a 378-page report of its findings over to state authorities. The Justice Department said no federal laws had been violated and the case was a matter for the state.

Grand Jury To Hear Parker Lynch Facts

BILOXI, Miss. (UPI) — The question of whether the lynchers of Mack Charles Parker will be brought to trial rests with a federal grand jury which convenes here Monday.

A state trial on charges of murdering the Negro rape suspect was ruled out in November when the Pearl River County Grand Jury ignored the case.

One thing is certain: The federal jury will not ignore the lynching.

At least a score of persons, including some of the seven Pearl River County white men fingered by the FBI as part of the lynch mob, have been subpenaed to appear before the jury.

The 23-man grand jury will be selected from a venire of 45 South Mississippi men, a few of whom are believed to be Negroes. Also, a few of the men are from Pearl River County.

Witnesses' appearances have been scheduled in a period ranging from Monday through Jan. 14, indicating the jury will spend two weeks or more in the probe.

Two attorneys from the Justice Department's Civil Rights Division Ben Brooks and William Kehoe arrived here a week ago to assist U.S. District Attorney Robert Hauberg of Jackson in preparing the case.

Parker awaiting trial for raping a white woman, was dragged from a jail cell at Poplarville before dawn last April 25. His bullet riddled body was later found in the Pearl River.

Lynching Case Slated For Reopening Today

BILOXI, Miss. (UPI)—A federal grand jury is expected to reopen the investigation of the white mob lynching of Negro Mack Charles Parker here Monday.

Parker, awaiting trial for allegedly raping a white woman, was dragged from a jail cell at Poplarville, Miss., before dawn last April 25. His bullet-riddled body was found later in the Pearl River.

Many FBI Agents

The FBI used 60 agents during a month-long investigation of the lynching and turned over a 378-page report to state authorities. The Justice Department said the case was a matter for the state of Mississippi to handle since apparently no federal laws had been violated.

But the U.S. government moved back into the case when a regular Pearl River County Grand Jury disbanded Nov. 5 without even a mention of the case. The jury did not call for any testimony and did not ask to read the FBI report. In its final report the county grand jury said, "from a standpoint of good citizenship and law enforcement our county compares favorably with any in the entire world."

Circuit Judge Sebe Dale commended the jury and said, "Our county, state and nation will be preserved by citizens such as you."

Atty. Gen. William Rogers called the lack of state action "as flagrant and calculated a miscarriage of justice as I've ever seen." He added the FBI had made "one of the finest most complete" investigations of the killing he had "ever seen conducted."

Two attorneys from the Justice Department's Civil Rights Division," Ben Brooks and William Kehoe, arrived here last week to assist U.S. Dist. Atty. Robert Hauberg of Jackson, Miss., in preparing the case.

The government attorneys would not say what charge might be brought against the lynchers. But in view of the earlier government stand that no federal law appeared to have been violated, it was thought the government may seek indictment on charges of a civil rights law that prohibits conspiracies to deprive people of their legal rights.

That law carries a maximum penalty of 10 years in prison and a $5,000 fine.

Parker's Case Is Not Closed

Further Action Considered By Attorney General, Says U.S. Official

By the Associated Press

WASHINGTON, Jan. 20.—Joseph M. F. Ryan, acting head of the Justice Department's Civil Rights Division, said Wednesday the Charles Mack Parker lynching case "has not been closed."

In response to an inquiry, Ryan said Atty. Gen. William P. Rogers is still considering whether additional steps might be taken by Federal authorities.

No Indictments

A Federal Grand Jury sitting at Biloxi, Miss., recently adjourned without returning indictments after examining an FBI investigative report which named suspects in the lynching at Poplarville, Miss., last April.

A state Grand Jury, which did not examine the FBI report, had previously failed to take any action in the case.

Ryan declined to say what is now being considered by the Justice Department. However, there have been many instances where Federal cases have been submitted to more than one Federal Grand Jury.

Parker, a 23-year-old Negro, was awaiting trial on charges of raping a white woman when a masked mob entered the Poplarville jail at night and took him away in an automobile.

Found In River

His bullet-riddled body was found several days later in Pearl River, which is the boundary line between Mississippi and Louisiana.

The case was put before a Federal Grand Jury on the theory that some Federal civil rights statute may have been violated or that Parker may have been taken temporarily into Louisiana before the killing, which would give the Federal Government jurisdiction under the kidnaping laws.

9583

Prisoners Face Lynching Query

Jackson Daily News Jackson, Miss

Grand Jurors Hear Parker's Cellmates

Mon. 1-11-60 P. 1

By W. C. SHOEMAKER
Daily News Staff Writer

Three convicts were taken from prisons today to tell a federal grand jury in Biloxi what they saw from inside the Popularville jail the night Mack Parker was lynched.

They were identified as Joe Esther Pittman and Delos Otis Howard, both white men, and James Dale Watkins, identified as a Negro.

Deputy U. S. Marshals removed the three from their prison cells Saturday and brought them to Jackson.

They remained in the Hinds county jail until late yesterday when they were transferred to Biloxi to testify today in the federal grand jury's probe of the lynching.

Pittman and Watkins were inmates in the Mississippi State Penitentiary at Parchman and Howard was removed from a federal prison in Oklahoma to testify.

They were reported to have been inmates in the Pearl River county jail at Poplarville the night of April 24 when Parker was dragged from his cell by a group of white men.

The 21-member grand jury is expected to decide by Friday whether federal laws were violated in the lynching of the Negro accused rapist.

Testimony began last Monday and witnesses are scheduled to appear through Thursday. Court observers said grand jurors will pobably decide by the next day if they will return any indictments.

U. S. District Judge Sidney Mize told grand jurors when they were emplaneled last week that federal law was violated if their investigation shows Parker was taken across a state line or if the Pearl River County sheriff or a deputy was involved in the abduction.

The grand jury last week heard three FBI agents reveal evidence gathered by a 60-man team during a month-long investigation.

But little else was reportedly revealed. Most other witnesses had been advised in advance to decline to answer questions.

Judge Mize had told the grand jury that witnesses could plead the Fifth Amendment on questions they considered incriminating.

Jury May Decide Lynch Case Soon

The Commercial Appeal Memphis Jan.

Ruling On Indictments Could Come This Week

BILOXI, Miss., Jan. 11.—(UPI)—If a Federal Grand Jury finishes its work as scheduled, a decision on whether to return indictments in the Mack Charles Parker lynching may come this week, it appeared Monday.

If the Grand Jury—which still has 30 witnesses to interrogate—does not complete its work, it will be recessed Friday until a later date, Federal Judge Sidney Mize said.

He said he has commitments in court in Jackson next Monday.

In addition to the Parker lynching investigation, there are a number of routine matters pending before the Grand Jury. It was expected that these would be postponed until next month.

Among witnesses called by the Grand Jury Monday was a man, Dwight Ladner, whow as a prisoner in the Pearl River County jail at Poplarville April 25 when a mob of masked, gloved men seized Parker.

Parker, a 23-year-old Negro truck driver, was awaiting trial on charges of criminally assaulting a white Petal, Miss., housewife. The mob shot and killed him and threw his body in the Pearl River.

U. S. JURY STARTS LYNCHING INQUIRY

The New York Times

One Negro on Mississippi Panel—Judge Explains Conspiracy Question

New York

By CLAUDE SITTON
Special to The New York Times.

BILOXI, Miss., Jan. 4 — A Federal grand jury of twenty-two whites and one Negro opened an inquiry today on the lynching of Mack Charles Parker.

Jan. 5-60

The jurors were told by the court that the question of a Federal violation apparently hinged on whether a sheriff or deputy had knowingly permitted the Negro's murderers to drag him from jail.

P. 12

Five witnesses appeared before the all-male panel, which is conducting its investigation behind closed doors in the Federal Building.

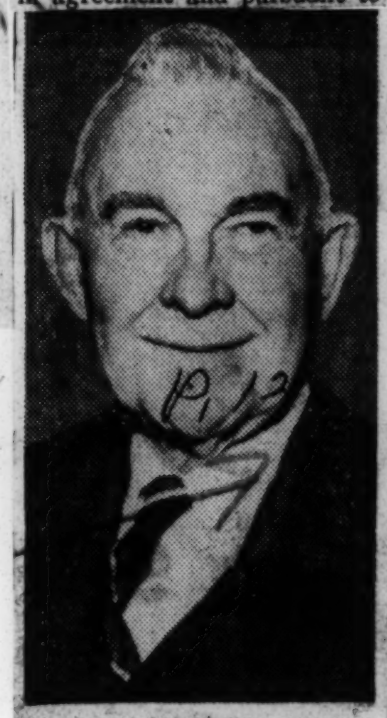
Parker, 23-year-old truck driver, was taken from the Poplarville jail the night of April 24 and shot to death. He had been awaiting trial on a charge of raping a pregnant white woman. Sheriff W. O. Moody said members of the mob had taken the jail keys from a cabinet in his office.

Judge Explains Laws

The Justice Department requtsted a Federal investigation after a Pearl River County grand jury failed last November to take action in the case.

In his charge to the jury, Judge Sidney C. Mize explained the two civil-rights statutes under which the Government is expected to seek indictments. He noted that the murder was not a Federal violation and was punishable only by the state.

Under one statute, the judge said, there would be no violation unless the lynch mob acted "in agreement and pursuant to



Associated Press Wirephoto
CHARGES GRAND JURY: Judge Sidney C. Mize, who is presiding at a Federal inquiry into the lynching of Mack Charles Parker.

a conspiracy with the sheriff or a lawfully appointed deputy sheriff, or a deputy sheriff acting under color of authority."

However, regarding the second statute, he said:

"If there should come before you evidence showing that any officer of Pearl River County conspired, or agreed or knowingly and willingly permitted a mob to come in and seize Mack Charles Parker by such participants, he would be guilty of an offense.

Date to Reconstruction

"Every person who enters into a conspiracy with the sheriff or other officer having charge and custody of a person, including the sheriff or deputy who enters into such conspiracy, is guilty of a violation."

The second law carries a maximum penalty of a year's imprisonment and a $1,000 fine. Both statutes were written during the Reconstruction era.

In his charge Judge Mize also said statistics showed that Mississippi had the second lowest crime rate in the country.

"I think, on the whole, that there is no place in the nation where the relation between the two races is as good and as highly respected as in Mississippi, and I'm proud of that," he said.

Three lawyers who said they represented those under investigation appeared. One was Stanford E. Morse Sr. of Gulfport. He asked the judge to tell the jurors that they did not have to accept the advice of Government attorneys. This he did.

A Federal venire of forty-four men, including three Negroes, from this Gulf Coast area reported for service. Two Negroes were excused by the court at their request.

C. P. Long of Gulfport, an insurance executive, was named foreman of the jury. It includes three more business executives, five farmers, two former law-enforcement officials, shopkeepers and workers. The lone Negro is Freddie Woodward, a longshoreman.

Twelve members of the panel are from Gulf Coat urban areas, generally considered more liberal in racial matters than other sections of the state.

The investigation was ordered by Judge Mize at the request of United States Attorney Robert E. Hauberg of Jackson. Mr. Hauberg acted at the direction of Attorney General William P. Rogers after a Pearl River jury had failed to indict Parker's murderers.

9583

Tells Of Giving Keys To Mob

Jackson Daily News

FBI Report Revealed In Parker Lynching

Jackson, Miss.
Fri 1-8-60

By UNITED PRESS INTERNATIONAL

A long-secret FBI report on the lynching of Negro Mack Charles Parker last April contains statements from three men that they were involved in certain events connected with his abduction from jail, United Press International learned today.

The three were among 23 white men listed in the report as "known and suspected participants in the abduction" of Parker from the Poplarville, Miss., jail.

The FBI report was read today by a UPI reporter. It was completed after a month-long FBI investigation last summer.

None of statements contained admissions that the authors had themselves gone to the jail to get Parker, a truck driver who was being held on a charge of having raped a white woman.

One of the three men was quoted as saying that, because of fear, he gave jail keys to four men who came to his home the night of April 24, a few hours before the lynching. The report said he told FBI agents he knew the men "wouldn't hesitate" to do him or his family bodily harm if they did not get the keys.

FEAR OF VIOLENCE

He told the FBI that if he repeated his statement in court he "would have to leave the Poplarville area permanently in order to avoid possible violence to himself or his family."

A federal grand jury at Biloxi, Miss., currently is investigating lynching. A federal judge advised the jury this week it could indict on civil rights or conspiracy charges only if a law officer was involved in the lynching.

The judge also said that the only other possible federal charge would be under the Lindbergh kidnap law, which could be used if Parker was killed after being taken across state lines.

Another statement in the FBI report was from a farmer who said Parker was driven across the Pearl River into Louisiana before being shot and dumped into the river 20 miles west of Poplarville.

He said he attended a meeting where the lynch plans were made on the night of April 24. He said he stood outside the jail as Parker was abducted, and followed in another car when Parker was taken to the river.

He said the car containing Parker slowed down as it approached the river bridge but picked up speed and crossed the bridge when another vehicle approached. He said the car immediately turned around and returned to the Mississippi side of the bridge, where Parker apparently was shot.

The third statement was from another farmer who said he attended a pre-lynch meeting and that the killers used his car to transport Parker to the river. He said 30 or more persons attended the meeting, which was held in a rural area west of Poplarville. He said "several volunteered" to go into the jail to get Parker.

Two of the 23 suspects were said to have visited the husband of Parker's alleged rape victim in Hattiesburg the day before the lynching to invite him to join the mob.

The husband was quoted as saying he refused the invitation and "told the men that my wife was not sure and had not identified Parker as the man who raped her."

The FBI report contained statements from two prisoners in the jail who claimed to have recognized some of the mob members. A prisoner said one of the abductors "appeared to be excited and enjoying himself."

Climax Looms In Lynch Case

Two-Week Investigation By Biloxi Federal Jury Near Showdown

By United Press International

BILOXI, Miss., Jan. 10. — A showdown is expected this week in the Justice Department's battle to bring charges against the accused lynchers of Negro Mack Charles Parker.

A federal grand jury is scheduled to end a two-week investigation of the Poplarville lynching late this week.

It will have heard testimony from FBI agents in on the month-long investigation of the case last summer, several of the white men suspected of the crime, and other residents of the Poplarville area.

May Take Fifth

However, it heard many witnesses cite the Fifth Amendment in refusing to answer questions.

A county grand jury at Poplarville refused to indict the suspects two months ago, making it almost certain no state charges will be brought against the suspects. It was then the Justice Department re-entered the case in hopes of winning Federal indictments.

A Dozen To Indict

At least a dozen members of the 22-man jury, which includes one Negro, must vote in favor of an indictment in order to bring charges. The vote is expected to be taken Thursday or Friday.

A battery of top Mississippi criminal lawyers will defend the accused lynchers if they are brought to trial, a source said.

Several top attorneys presently are acting as advisors to witnesses and scores of other lawyers have reportedly volunteered their services in the event of a trial.

Macon Telegraph
The Atlanta Constitution

Outcome of Parker Case May Reduce States' Rights

Atlanta, Ga.
Fri 1-8-60

The ironic outcome of the Mack Charles Parker lynching in Mississippi could be a further shrinking of states' rights. As a special federal grand jury convened in Biloxi, Miss., to investigate the lynching, the U.S. Department of Justice was preparing recommendations to Congress to pass broad legislation during 1960 empowering the federal government to intervene in cases where states fail to prosecute.

Although Atty. Gen. William P. Rogers has said his recommendations would not necessarily be for a federal antilynching measure, he added:

"It seems clear to me that if the states are going to disregard responsibilities to the extent of not even calling witnesses in a case like the Poplarville case, then the federal government must consider something else."

The attorney general was referring to the refusal of a Mississippi grand jury in Poplarville to hear the testimony of FBI agents in connection with the Parker lynching. The grand jury, sitting in early November, refused to touch the case, though a 378-page FBI report, the work of 60 agents, reportedly naming 7 to 10 members of the lynch gang, was available to it.

Parker, a Negro accused of raping a pregnant white woman, had been dragged from his Poplarville cell by hooded riders last April 25, shot and thrown into the Pearl River. The FBI had entered the case with the approval, if not at the request of, Mississippi's Gov. Coleman. It found no proof that Parker was dragged alive over a state line, so prosecution under the federal Lindbergh kidnaping act was ruled out.

Congress undoubtedly will be asked at the 1960 session to make lynching a federal crime. Sen. Javits (R-NY) introduced an amendment to that effect to the Senate Judiciary subcommittee's civil rights bill at the last session.

In the past—particularly in the 1930s when lynching was much more common and various antilynching measures were proposed — it was contended that the Constitution in the 10th Amendment renders Congress powerless to make lynching, or murder, for that matter, a federal crime except when committed on federal property. Sen. Javits' proposal was phrased to get around that argument by stating a congressional interpretation of the Constitution.

Proposals for antilynching legislation have met with strong Southern opposition and the threat of filibuster. But more recently, Senate Majority Leader Lyndon Johnson (D-Tex.) has advocated an antilynching constitutional amendment.

The temper of the times is such that if the states fail or refuse to act in such areas as lynching, the federal government will somehow find power for itself to step in. That is the lesson the Poplarville case is now teaching.

TENNESSEE NEGRO TAKEN FROM LAKE

Aug 29 1960

WINCHESTER, Tenn. (AP) — A Negro whose body was found in a lake near here had been shot with [illegible] weapons, the state medical examiner reported.

The body, tentatively identified as that of William Nance, 28, a [illegible] Decherd, Tenn., was discovered Saturday, weighted down by a rock attached with bailing wire.

The Clarksville Tobacco

Dr. W. J. Core said the man had been shot in the heart with a shotgun, between the shoulder blades with a .45-caliber pistol, and in the stomach with either a .32 or .38-caliber weapon.

Man is cleared in community vengeance case

CHELSEA, Vt., May 7—(AP)—A trial jury has acquitted a second defendant in what the state charged was a "community vengeance" slaying.

The Orange County Court jury acquited Frank W. Carpenter, 44, of manslaughter and kidnaping in the death of wealthy Newbury dairy farmer Orville A. Gibson.

Last October Robert O. Welch, 46, was acquitted of murder in the slaying. Welch has since died.

THE STATE contended in both trials that Gibson was killed on New Year's Eve, 1957, at the hands of a group of his neighbors.

Testimony brought out by Atty. Gen. Thomas M. DeBevoise indicated resentment rose when Gibson allegedly beat a hired hand for spilling milk on Christmas morning, 1957.

Gibson was last seen alive on Dec. 31 of that year. His body, bound by rope with the knees pulled up against the chest, was found in the Connecticut River 85 days later.

In his closing argument yesterday the attorney general said: "we don't claim it was a one man job. We know it was done by more than one."

THE JURY deliberated three hours and 13 minutes. Later, DeBevoise said: "We will continue to work on the investigation of this case."

Carpenter was not involved in any way. The circumstances were such that they created a suspicion toward Carpenter, but he was not involved."

Davis added Gibson could have committed suicide, even tieing himself with the rope.

Vermont Lynching Suspect Acquitted; Case 'Not Closed'

CHELSEA, Vt., (UPI) — A jury last night acquitted Frank W. Carpenter in the lynch slaying of a prosperous dairy farmer, but Attorney General Thomas M. DeBevoise said he would stick with the case.

Carpenter was found innocent of manslaughter and kidnaping charges in the death of former Orville Gibson. A superior court jury of seven women and five men deliberated three hours and six minutes in reaching a verdict.

Carpenter, of West Newbury, thus become the second man to be freed in the past seven months in connection with the death of the unpopular Newbury farmer. Last fall, Robert O. Welch was acquitted of first degree murder charges in the case and a similar charge against Carpenter was dropped.

Welch, a school custodian, died before he could be brought to trial on the lesser charges.

Guard Units Alerted In Search For Tyson

National Guard units were alerted Tuesday to stand by for possible duty in the search for a desperate fugitive convict wanted for murder and rape.

More officers moved in to press a systematic search for Robert Tyson, 40-year-old Negro who has eluded a heavily-armed posse in the tangled woodlands of northern Wake County for nearly two weeks.

At the end of the day, Tyson — declared an outlaw Monday and with a reward of $500 on his head — still evaded the dragnet thrown out by a force of prisons officers, highway patrolmen, SBI agents and Wake County deputies.

Law Agencies Meet.

Prisons Director George Randall said representatives of all law enforcement agencies had met with him Monday and again Tuesday to study the advisability of calling in National Guardsmen.

He said the decision both times was to make an all-out effort with the reinforced posse of officers before asking Gov. Hodges to call in the Guard troops.

Randall said he had checked with the FBI — which is now assisting in the Tyson search — "and they agree that the plan being followed is by far the best to capture the prisoner and to protect the people up there."

Randall said the FBI entered the case because of the possibility that Tyson violated the federal unlawful flight statute.

There is evidence that Tyson "had a suitcase shipped out of the State," Randall said, and "there is a slight possibility that kidnaping may be involved in connection with some of his crimes."

Thinks Tyson There.

"We feel the man is in there," "and that we have him pretty well surrounded. We think this methodical search will produce results." The search has been concentrated in the Falls of Neuse and Bayleaf Church areas.

State Adj. Gen. Capus Waynick said the Guard is prepared to send in men quickly if the Governor gives the order. He said units called likely would be from Butner where the Guard has a number of men who are full-time employes.

Waynick said a 135-man unit at Butner could be in the search area within an hour if called out.

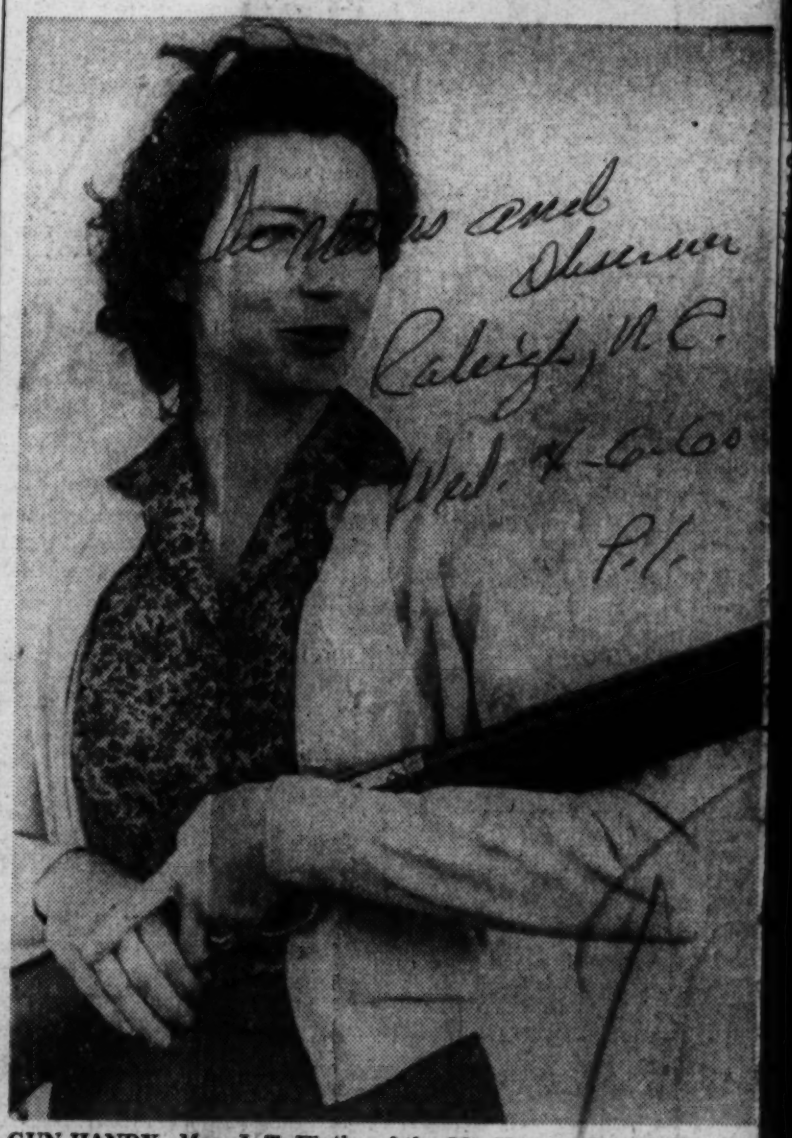
"The cars are standing by and ready to move rapidly," he said. A 130-man rifle company, split between Henderson and Oxford, and a 40-man unit at Durham also were alerted.

Waynick said he had conferred with the Governor about the possible use of Guardsmen and they agreed "we can wait a few more hours" to see if the systematic search being staged by the reinforced posse of officers is successful.

Earlier in the day, gubernatorial candidate Terry Sanford had urged that Guardsmen be called out immediately.

Randall said he had informed the Governor "that we will keep

See MANHUNT, Page Two.



GUN HANDY—Mrs. J. T. Flythe of the Mt. Vernon Church Road, like many residents of the search area, feels more comfortable with a loaded gun in hand so long as Robert Tyson remains at large. (Photo by Bob Lynch.)

MANHUNT

Continued from Page One.

him constantly advised of developments and if conditions so indicate would recommend the use of National Guard personnel."

Tyson, an honor grader serving time for attempted rape at High Point, walked off his job in the Camp Polk Prison Camp slaughter house on March 4. About an hour later the body of Mrs. Clyde Farnell, wife of the prison steward, was found in a storage shed behind her home near the prison. Her body bore 17 stab wounds.

That same night, the Farnell's automobile, which was missing, was found abandoned on a lonely road north of Raleigh. Articles identified as belonging to Tyson were found in and near the car. The spot where the car was found is only a few miles from where the search for Tyson is now centered.

An intensive search was made after the car was found. However, when Tyson was not located after several days, officers figured he had left the area.

Renewed Sunday.

The search was renewed Sunday when a Negro woman reported that Tyson, armed with a rifle and shotgun, had spent the night in her home. She said he had raped her and another woman. He left the rifle and is now believed to be armed with the shotgun.

On Monday, Tyson was proclaimed an outlaw by Superior Court Judge George Fountain, and Gov. Hodges announced that the State is offering a $400 reward for his arrest. Citizens of the search area announced Monday they would add $100 to the reward.

Randall said 50 highway patrolmen are taking part in the search, along with 12 SBI agents, eight sheriff's deputies and 70 Prison Department employes.

A citizens committee in the Camp Polk area, which has gone to court in an effort to get the camp moved, added $100 to a $400 reward Gov. Hodges offered for information leading to Tyson's capture.

Seven Polk Prisoners Transferred

By DAVID COOPER.

Seven prisoners have been moved from Camp Polk to Central Prison as a result of a tightening-up of security at the controversial minimum custody unit, State Prisons Director George Randall reported Tuesday.

Heavy security fencing of a prisoner work area adjacent to Polk's main buildings has been completed, he said.

Randall took office last Friday as director of the State's prison system. He ordered there that prisoners with records of "serious sex crimes" no longer be housed in minimum custody units such as Polk.

He also had ordered that heavy steel fencing be completed around all of Camp Polk. He said Tuesday the only building left without fencing is the Polk slaughterhouse, where Negro trusty Robert Tyson worked before escaping March 24.

Randall said the abattoir will be fenced immediately. Tyson is now being hunted for murder and rape. He had been convicted twice of assault with intent to commit rape before he escaped.

Court Fight.

A legal fight over operations of Camp Polk moved into the chambers of the State Supreme Court Tuesday.

There, Associate Justice R. Hunt Parker wondered if Randall's directives have not "satisfied" the case of residents who have sought to restrict operations at the camp.

The residents were successful last December in getting Superior Court Judge Reid Thompson to sign an order temporarily restraining State officials from permitting Polk prisoners to roam at large.

The State, through the attorney general's office, secured a stay of Judge Thompson's order from the Supreme Court.

Moody's Stand.

In a review of the matter, Tuesday, Assistant Attorney General Ralph Moody said that if the high court upheld the lower court order, in effect, "a Superior Court judge would become a glorified prison director."

Moody argued that the case

See POLK, Page Two.

Rape Victim Found Slain in Alley

Pictured is Grace M. Cochran, 70, of 4810 Tuckerman st., Riverdale, Md., taken from an old photo. Remains of a body found Wednesday afternoon near Gambrills, Md., were identified as hers on the basis of clothing. Story and another picture on Page A1.

Associated Press

Mrs. G. Clement Henderson, of 1635 Annandale rd., Falls Church, is shown yesterday as she left the Morgue in Baltimore after identifying clothing found with remains near Gambrills, Md., as belonging to her mother, Grace M. Cochran of Riverdale, Md.

By George R. aWtson
Staff Reporter

The body of a middleaged woman, sexually assaulted and beaten, was found in an alley off the 1200 block of N. Capitol st. yesterday morning. She was identified last night as Corinne Sullivan, 50, of 4019 9th st. ne.

Mrs. Sullivan's body was left in the alley clad only in pajama tops and a raincoat. She was identified by her son, Jack L. Sullivan, of Woodbridge, Va.

She died of injuries that broke her ribs, caused ruptures of a blood vessel near the heart, a rupture of the intestines and hamorrhage of the chest wall. Her face and mouth were bruised and swollen.

Homicide and Sex Squad detectives, working with uniformed police and detectives from the Second Precinct, searched the area through the day and night, questioning scores of neighborhood residents in an effort to find a clue to the slaying.

Scene of Previous Crime

It was in this area that the body of Sarah Trachtenberg, 53-year-old real estate operator, was found strangled, beaten and sexually assaulted in December, 1958. Her body was found only a short distance from the alley, in a car in the 100 block of N st. nw.

Her murderer is still at large.

Last June, J. William Umhau, who operated a drug store at 831 N. Capitol st., a few blocks from yesterday's scene, was bludgeoned to death in a $10 robbery.

The woman's body was found lying by a trash can next to the rear wall of a garage in the alley off the west side of N. Capitol st. It was directly behind the rear yards of 1214 and 1216 N. Capitol sts.

Shoes Found Nearby

She was clothed in a brown-and-white checked raincoat and the jacket of black lounging pajamas trimmed in red, with a small red and green flower and lead design. No underclothing was found. A pair of tan leather wedge shoes was found in the alley, about 150 feet away.

The body was discovered by John Tierney, 64, of 1214 N. Capitol st., a painting foreman on a Catholic University project. Police said Tierney got into his car at about 6:40 a. m. and then got out to fix the windshield wipers.

It was then he saw the body lying on the ground between the righthand side of the car and the rear wall of the garage.

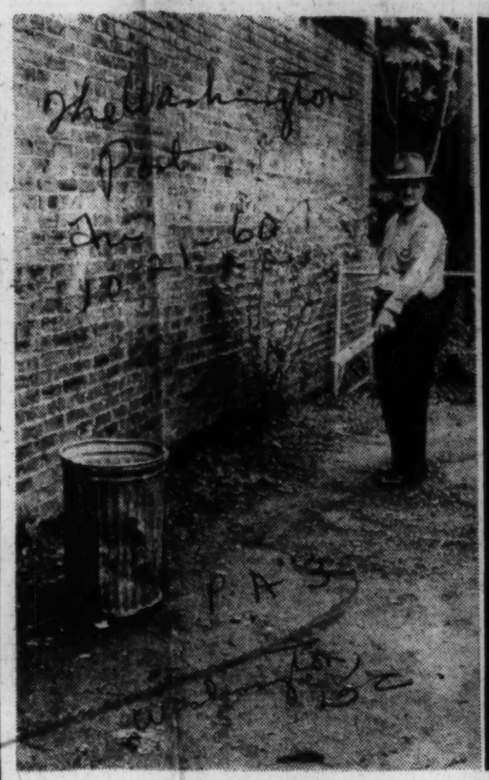
One possible clue was provided police by John G. Kuhn, 69, of 16 New York ave. nw. The rear of the house looks over a portion of the alley. Kuhn said that about 1 a. m. he looked out his rear bedroom window and saw four men. Two of them were carrying a body. The other two seemed to be acting as lookouts, he said.

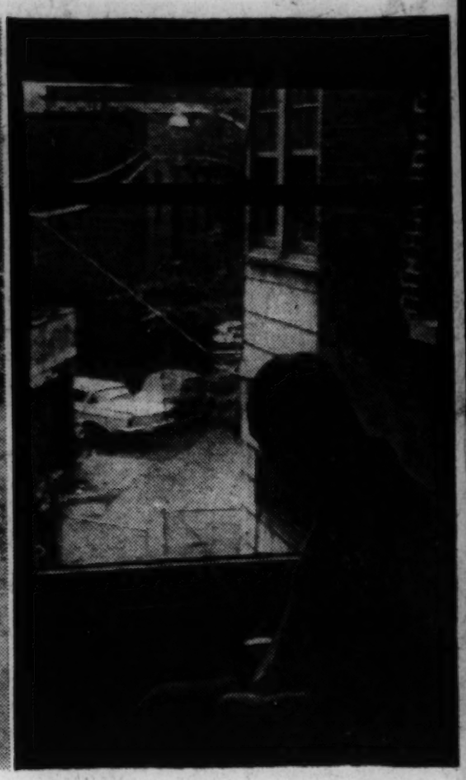
Seen by Second Man

Kuhn, a retired Government Printing Office machinist, said: "I thought it was another drunk. There's a lot of trouble in that alley."

Harry P. oJnes, of 1216 N. Capitol st., whose room looks out over the spot where the body was found, said he awoke at 1 a. m. and saw a man, wearing a hat, standing near the trash can. Both he and Kuhn said the men they saw were Negroes.

Jones said a woman neighbor had said she heard a woman crying at about 11:30 p. m. A check of the victim's fingerprints failed to turn up any leads to her identity.





The Washington Post

Harry P. Jones of 1216 N. Capitol st., in the photo at left, points to the area where the body of a middleaged woman was found in an alley near his home yesterday. Jones said he looked through a window of his bedroom at about 1 a. m. yesterday and saw a man there. He did not, however, see the body at that time. At right, John G. Kuhn of 16 New York ave. nw., looks out of a window in the bedroom of his house where, also at about 1 a. m., he saw four men, two of whom were carrying a body. At the time Kuhn supposed it was a group of drunks.

POLK—Court Hears Case

Continued from Page One.

was really a suit against the State. The State is immune from such suits, he said.

Raleigh attorney John R. Jordan Jr., representing the residents, said his clients were suing individuals, not the State. He said the heart of the suit was the manner in which the camp was operated.

Parker commented that "assuming that this is a suit against the State and the State cannot be sued, then the remedy would be at the ballot box."

Sanford Favors Move.

Gubernatorial candidate Terry Sanford had stated early Tuesday morning that moving Camp Polk, as residents have requested, "will be the first thing I do" if elected Governor.

Jordan said, "We have not brought a suit to remove Camp Polk." The original complaint had included a request that Judge Thompson order the defendants to cease construction of new buildings at the unit, but he had refused to rule on this point.

Jordan said Moody's assertion that judges could become prison directors "amounts to an indictment of incompetence against every Superior Court Judge in North Carolina."

The Supreme Court has ruled previously that citizens can sue individuals running State agencries, Jordan argued.

Moody said affidavits filed in the case by residents near Polk "are as silent as the tombs of Egypt as to when they moved" near the unit—before or after it was constructed.

Named in the suit were Garibaldi, other members of the prison commission and former Prisons Director W. F. Bailey. "May I emphasize to you that it is not alleged that these defendants were negligent" in operating Polk, Moody told the seven Supreme Court justices.

Jordan said, "We hope this court will send this matter back for a trial on the merits. We are welcome for this case to go to a jury."

The State Supreme Court will study the record and legal briefs filed in the case before handing down an opinion on the matter.

The seven prisoners were picked for movement to Central Prison by a classification committee which studied the records of all 547 men at Polk, Randall said.

He did not know the specific records of the seven, Randall said. "They'll be moved into another area and won't go back to Polk."

Sanford had said "Camp Polk should be moved immediately." He added that there is no reason "why a prison camp of this type should be located in a heavily populated area."

Now Hear This, You People: Knock It Off!

"My way of doing things," said 55-year-old Gen. David M. Shoup, a solemn, sawed-off (5-foot-7) fighting man, "is bound to be different." In 5,000 salty words, the new commandant of the U.S. Marine Corps then proceeded to tell his own top staff—and all the other Marines scattered around the world—just how different things would be.

In the first place, said Shoup, who won his Congressional Medal of Honor at Tarawa, a Marine can stand on his own feet. "Our most important job," he barked, "is always to think and work hard to get as much fight from our plight as we possibly can."

Marines got the message: Shoup is boss. To civilians, less inured to skin-scorching language, the Indiana-born general made it clearer by ignoring long-standing protocol and criticizing, even before it is announced, President Eisenhower's budget, which calls for a 175,000-man Marine Corps. A force of 235,000 "or even more," Shoup said, is needed.

The smaller force, he snapped, could do it, however, if Marines gave up the notion that they are junior partners of the Navy. "The Corps came of age many years ago," he said. "Let us unshackle our minds from the stifling psychology inherent in the slogan: 'They're sniping at us'."

Shepherd: No more swagger

As for sniping, Shoup suggested, it wouldn't hurt if Marines quit sharpshooting for cozy billets. "If you're scheming right now to get to Paris for your next tour," he said, "it's time to retire." From now on, the newest four-star Marine growled, there would be no letters soliciting cushy transfers, no more conniving to get favored underlings, and no more of the headquarters hindquarters padding that had created seven personnel departments "and a few fuzzy ones."

"Soon," Shoup said of the personnel dodges, "I expect to have one."

No Gadgets: For Marines too thick above the leathery neck to get the idea, Shoup put it in terms of uniform. "I feel that a clean, neat, well-fitted uniform with the Marine Corps emblem is tops. There is no need for gimmicks and gadgets."

Shoup's pet-peeve gadget: The swagger stick, a 22-inch symbol of authority known recently as the "shepherd's crook"—for Gen. Lemuel C. Shepherd, former Marine Corps commandant, who revived it in 1952.

"There is one item of equipment," said Shoup, in measured soldierly strides of speech, "about which I have a definite opinion. It is the swagger stick. It shall remain an optional item of interference. If you feel the need of it, carry it."

Somehow, no Marine seemed to feel the need of it any more. From the shores of Parris Island to the sands of Camp Le Jeune, the swagger stick would go into mothballs.

IOWA:

Spooks on the Prairie

Lonesome and stark, like a detail out of a Grant Wood painting, the two-story, six-room frame house stands between two great rock formations on a hard-scrabble 68-acre farm in northeast Iowa, 7 miles east of tiny (population: 326) Colesburg and 30 miles west of Dubuque. White-mustached William Meyer helped his late father build it when a mere boy, brought his bride Annie there, heard it echo to childish din, and there last year celebrated his 82nd birthday.

But last week the house stood more lonely than ever, empty of all but a skinny gray kitten and occasional curiosity seekers. William's son Elmer stops by once a day from his home a quarter of a mile down Skip Level Road to do the chores. William and Annie, moved out Dec. 14 and are living with a sister-in-law in nearby Guttenberg.

What's more, William Meyer is determined not to return. "Too many goings-on have happened in that house," he said.

The goings-on, say the Meyers, started about the first of December. A refrigerator mysteriously tipped over one day. Another day, an egg flew against a door. A flowerpot pedestal leaped across the room and struck the stove. A window shattered and glass fell on both sides of the sill. The cellar door collapsed. A rocking chair gently rocked of its own volition one evening. A tumbler jumped off a shelf and struck Annie on the head.

Clayton County Sheriff Forrest Fischer, an avowed skeptic, came to investigate and reported that a bottle hopped out of a case and thudded on the floor. "I've never seen anything like this," he said. A photographer from The Dubuque Telegraph-Herald said that he saw a stone suddenly fall out of the basement wall and break a crock.

Many neighbors, inclined to seek some occult explanation, whispered that a poltergeist* was behind the happenings on the William Meyer farm. Elmer Meyer, who saw a heavy box of nails tumble off a staircase ledge, dowsed the area with a forked cedar branch and advanced the theory that underground water caused the weird events. "There's a spring on one side of the house and a creek runs by the other," he explained.

Spook or spring water, old William Meyer wants no part of it. "I was born and raised on that farm," he said, "but I won't die there."

*Literally, in the German, a noisy ghost.

MISSISSIPPI:

Back to the Courts

In sunny, easygoing Biloxi, on Mississippi's Gulf Coast, the townspeople showed little interest in the proceedings that began last week in the shiny new glass-and-marble Federal Building. But in other parts of the South, in Washington, and in much of the world, people were watching to see what would happen in the case before the jury.

The case was one of a lynching, and the main facts were clear. On a moonlit night last April, a 23-year-old Negro named Mack Charles Parker, accused of raping a pregnant young white woman, was dragged from the jail in rural Poplarville. His body was found nine days later in the muddy shallows of the Pearl River, the boundary between Mississippi and Louisiana. The FBI moved in and pressed one of the most intensive in-

vestigations in its history. But when the case came before the Pearl River County grand jury, the rustic jury ignored the evidence gathered by the FBI and returned no indictments.

"A travesty of justice," U.S. Attorney General William P. Rogers called it and promptly moved for a reopening of the case by a Federal grand jury. These were the hearings that went on in Biloxi all last week. This time the FBI report would be a major factor. Although nominally secret, it is known to identify twenty-odd men as participants; it also includes testimony that keys to the jail were made available to the masked mob.

Vital Point: The latter evidence is important, because the government prosecutors hope to prove conspiracy between the lynchers and officers of the law, which would be a violation of the Civil Rights Act. There is also a question as to whether Parker was taken across the state line. If he was, the lynchers would be guilty of another Federal offense—kidnapping.

These points were made clear to the Federal jurors by 71-year-old Judge Sidney C. Mize, a small, gentle, and highly esteemed native Mississippian.

The Biloxi jurors are of a different cut from those in Poplarville, who were mostly farmers. These are predominantly businessmen and one is a Negro. The foreman, Charles Long, is a Gulfport insurance man and onetime district officer for the Office of Price Administration.

Evidence was scheduled to be heard all this week. Much of it, so far, has come from witnesses who are also suspects and who have repeatedly resorted to the Fifth Amendment. After several frustrating days, the jurors asked Judge Mize to establish ground rules as to what questions must be answered.

The upshot was still anybody's guess; but if indictments should be returned they would have this added significance: The resultant trial would provide a grim accompaniment to debate in the halls of Congress on civil rights.

The Great Bank Robbery

For Americans wondering why the U.S. soil-bank program has not been more successful in holding down the staggering farm surpluses, U.S. Comptroller General Joseph Campbell had an answer last week: Of all the 23 million acres that have gone into the soil bank, nearly one-quarter (or 5.4 million acres) of the "idle" land had not been producing crops anyway.

In one of a series of reports on Federal spending, Campbell said owners of fallow acreage have been paid $54 million a year for five years. Thus the government, now moving to halt the abuses, spent a total of $270 million to reduce crops that never existed.

WASHINGTON TIDES

'Titanic' Challenges

by Ernest K. Lindley

THE President's program for his last year in the White House can be appraised better after more particulars have been supplied by the Budget Message, his special messages, and the reports of sundry official study groups. In his State of the Union Message, however, there seemed to me to be a significant difference in spirit or tone between his approach to global strategy and his approach to domestic problems.

The President's discussion of major world problems was both broad and realistic. He welcomed the signs of "the possible opening of a somewhat less strained period in the relationships between the Soviet Union and the rest of the world." But he was appropriately wary of Communist intentions and of the practical possibilities of "sudden and revolutionary results." He stressed the necessity for dependable inspection and verification in a ban on atomic tests and in important measures of disarmament. He reassured our allies that we will make no deals which jeopardize our commitments to them—a point he perhaps did not emphasize sufficiently in his speeches on his recent tour.

THE DIFFERENCE

The vital relationship between the progress of the underdeveloped nations and our own survival was set forth by the President with exceptional force. He has always been right about this. His recent journey appears to have reinforced his convictions. Whether the free industrialized nations meet the needs of the underdeveloped nations for capital as well as technical help may, as Mr. Eisenhower warned, "spell the difference between world disaster and world progress in freedom."

In calling on the other free industrial nations to shoulder more of the task of aiding the underdeveloped nations, he was on sound ground. But, although he said he would continue to urge that the U.S. "amply and cheerfully" support its part of "this great project," he may have left the impression that the amount of aid we provide can be safely reduced. Indeed, a few Democratic opponents of foreign aid have already chosen to draw that inference. But the central fact is that the total capital requirements of the underdeveloped countries greatly exceed what they have been receiving. More capital from Western Europe and Japan is needed to augment what we have been supplying, not to replace it. And, even though private investment overseas grows, there will continue to be large requirements for public funds. The President did not exaggerate when he called this challenge "titanic."

COMPLEX QUESTION

As the President turned to the domestic front, his message slid to a lower key. It lost breadth and vigor. It did not sound like a response to a "titanic challenge" anywhere.

Whether his military budget, its total approximately unchanged from last year, is adequate is a complex question, which will be extensively debated after its details have been revealed. His space budget should, and will, receive close scrutiny. If it is not large enough to speed up our space program to the maximum degree practicable it is too small.

As to inflation he said some strong words: "We must fight inflation as we would a fire that imperils our home." The prospect of a balanced budget this year and next is reassuring. But the President conspicuously failed to come to grips with the wage-price spiral and the related problems arising from the failure of "collective bargaining" to protect the public interest. The steel settlement, imposed by political pressure and official intervention, did not reflect a burning zeal to curb inflation.

As to the farm problem, the President must be given credit for tenacious adherence to principle, even if little practical result. When he turned to education, urban renewal and expansion, and other urgent national needs, the President plainly was less interested in coping with them than in holding down Federal expenditures. The argument that we can't afford these outlays loses some of its force with the promise of a $4 billion surplus. The challenge of these arrears in our national plant may not be quite "titanic" but it is too great to be brushed aside.

27a

sacred mission to fulfill, namely, to save the civilized world. He may even, ten years after becoming Chancellor, visit (for the first time in his life) a former concentration camp and speak (under the gentle pressure of world opinion) a few words of regret for the unknown victims. But all this cannot absolve him from a great responsibility — the responsibility for building a new Germany that will never fall back into the abyss of violent nationalism, as it has so often done in the past. In this responsibility, the Chancellor is failing.

Restitution payments for German Jews and other victims of Nazism are systematically obstructed by federal, state and city employees, many of them former members of the Nazi Party. At the same time, the pensions and indemnities paid out to dignitaries and representatives of the Third Reich are handed over promptly and lavishly. The Federal Republic pays the sum of 2,636 marks per month to each of the former 1,036 *Wehrmacht* generals and admirals (including, of course, officers of the *Waffen SS*). With this pension, they not only live comfortably, but are able to devote their time to writing their memoirs and organizing nationalistic groups. Their social standing is as high as ever.

IT GOES without saying that the policy of the Western Allies, and especially Washington's, is vastly responsible for the reawakening of German militarism and nationalism. The West missed its opportunity in the first postwar years to help liberal forces in West Germany lay a truly new foundation. Later, the West forced upon a reluctant majority of the German people a remilitarization program that could only lead to a revival of all that is dangerous and destructive in the German mind and body. This is a sad story which deserves more thorough study.

Have things already gone too far? Many Americans are perfectly satisfied with developments in Germany. They like nothing better than the sound of the goosestep, although only a few years ago they swore that German militarism would never rise again. Recently *The New York Times* published an enthusiastic appraisal of the first combined German-American maneuvers in Bavaria. The appraisal concludes with the following statement: "Exercise Wintershield showed that the new German Army still has some major problems. But it has some extremely capable, aggressive commanders and non-coms, and the seeds of its past military greatness are sprouting again."

The writer, Hanson W. Baldwin, unwittingly echoes the words of the German neo-Nazis and old-time nationalists who seek to transform the Federal Republic into a *Machtstaat* — a power state. If and when that happens, it will be interesting to see how the Hanson Baldwins of this country will appraise German "military greatness."

Lynching in Calif. Bee p. 316

MURDER and ONOMATOLOGY . . *by George R. Stewart*

Nation pp - 313-316

THAT FEBRUARY morning I was thinking of an eleven o'clock class. As a professor of English, the last thing I expected was to get involved with a murder trial.

Sat 4-9-60

The note in my box meant nothing to me—I would have guessed, if I had stopped to guess, that it was an invitation to speak somewhere, which I would turn down. I called the long-distance operator of the number indicated, and was connected with Downieville, a small mountain town, 200 miles away. The name brought memories. I had fought a forest fire near there; I had fished the streams; I had once kept the fire-lookout on Sierra Butte.

But a man's voice was speaking, introducing himself as Lynn Compton of the California Attorney General's office. He was acting in the Motherwell trial. Had I heard of it? —Yes, I had read the papers.—Well, an old student of mine was up here, a reporter, who said I was the greatest authority in the world on names. —I accepted the compliment, not caring to argue the claims of other scholars on long-distance rates. — Well, this Motherwell says he didn't commit the murder, but he knows who did, and it was a man named Dee-A-vious. — How do you spell it? — D-'A-V-I-O-U-S.

I had never known the name, and it did not even seem a likely name to exist at all. But names are protean, and I have learned not to jump at conclusions about them.

Mr. Compton went on. Not only had they been unable to find the man D'Avious, but they had not even been able to find anyone of the name. The FBI had checked its files (315,000,000 names, they claim) with no results. Would I do what I could? I agreed. He gave me a few more details.

I am no devotee of murder trials. But this case had already seemed to me an unusual one. I can imagine it turning up, a few years from now, in one of those "true murder" collections.

Larry Lord Motherwell was the grandiloquent name under which he was being tried, though originally he had been Frank Eugene Caventer. His first wife testified (in connection with his sentencing) that, according to her belief, he had twice tried to murder her and their two children in 1945 and had actually murdered a third child. His second wife had been found, in 1953, drowned in the bathtub. They had had a defective child. In 1954, he took this fourteen-months-old baby from the home to which it was entrusted, and later the body was dug up from a grave in a pet cemetery. Mother-

---

GEORGE R. STEWART, noted novelist (Fire, Storm, *etc.*) *is also an onomatologist, and the author of* Names on the Land *(Houghton-Mifflin, 1958).*

well claimed that the baby had died a natural death, and that in panic he had just buried the body. A grand jury failed to bring an indictment. After all this, it is perhaps anticlimactic that two women testified, with some asperity, as to how he had undone them with blandishments, and, in one case at least, taken money along with affection. In 1958, aged forty, he became involved seriously with Mrs. Putney.

Although Motherwell presents some uncommon qualities, the really bizarre person in the case is Pearl Putney. Her husband had been a rather prominent member of the State Department in the twenties. He died, leaving her a widow of about forty. She devoted herself to the care of her aged and ailing mother. Thus she lived quietly in Washington, D.C., for about thirty years. She did not go out with men; she was almost timid in manner; by most people's standards, she was a recluse. At last her mother died, and Mrs. Putney, at the age of seventy-two, came under the influence of Motherwell. She was not wealthy, but in her infatuation she realized cash to a sum which has been reported as $50,000. She then departed with Motherwell on what the papers have constantly called "a last fling." It could better have been called "a first fling."

IN THE summer of 1958, the two of them drove across the country to California, registering as man and wife. The night of August 14 they spent in a motel at Marysville, California. On the morning of the 15th, they checked out. There is no record of Mrs. Putney after Marysville. On the 16th, Motherwell bought an airplane ticket, for himself only, in Reno.

One way to drive from Marysville to Reno is by California Highway 49, through Downieville and over Yuba Pass, a lonely road across the mountainous terrain of the northern Sierra Nevada.

A year to the day after Motherwell bought that ticket in Reno, some human bones, a dental plate and a few half-burned scraps of clothing were found near a little woods-road, a half-mile from California Highway 49, just to the east of Yuba Pass.

During that year, Mrs. Putney's absence had not passed unnoted. The dental plate was soon identified as hers. During the same year, Motherwell had been spending money freely and moving about under a number of aliases, as if supposing that he was being watched. Apparently he was right; only nine days after the discovery of the bones he was arrested in Atlanta. Denying the murder, he said he knew, or suspected, who had done it—D'Avious.

OBVIOUSLY the case against Motherwell was highly circumstantial, and so the finer details of evidence became of importance. This, then, was why they came to me—one who, whether or not he lived up to his loyal student's high appraisal, had at least been President of the American Names Society, had written *Names on the Land*. This was my first involvement with a trial, but as far as the running down of D'Avious was concerned—I was bred and born in that briar bush. Still, the difficulty was obvious.

What I was being asked to do was to prove a universal negative. Generally speaking, this cannot be done, except in mathematics or some field approaching it for exactitude. Actually to prove that there was no D'Avious, I would have to examine the names of all living human beings. The prosecution had come to believe that no D'Avious existed, and they would be happy to have from me any possible confirmation. On the other hand, if there was a D'Avious, they would be happy to find him. As far as I was concerned, it was only another scholarly project—hew to the line of fact, and let the implications fall.

There is, of course, no way in which you can set about work at *not* finding a name, except to do nothing at all. The only method of work was to start looking *for* the name. If intelligently planned efforts should progress without finding it, then the mathematical chance against its existence would rise rapidly. This would never amount to absolute proof. But, then, very few things in connection with a murder trial or with human life in general are susceptible to absolute proof. Juries usually have to be content with high probability.

I codified the information which I had received, and listed four points of use. First, there was the spelling of the name. Second, there was its pronunciation. Third, D'Avious was said to have been a Latin American. Fourth, he had been in the United States with some kind of diplomatic connection. The significance of this last information was that it spotted him as a Latin American of the upper class, one who, for instance, would be likely to have a telephone.

The pronunciation (Dee-A-vious) was an impossible one for either Spanish or Portuguese. It was patently suspect, a primary indication that Motherwell might have coined the name himself.

"A UNIVERSITY," runs the trite definition, "is an association of scholars." Few people stop to think what this means practically. From my point of view it now meant that I could muster to my help a really appalling amount of erudition. By virtue of that institution called a university, these men were my colleagues and my friends. It was a question of making a telephone call, or walking down the corridor.

Although I know something about Romance languages, I am no expert in Romance philology. But there is no one sounder in that field than Professor Yakov Malkiel, and I talked with him. Without even consulting a book, he could tell me that the name was not Spanish or Portuguese, and even that the combination *-iou-* could not normally exist in those languages. Similarly, I checked off Catalán. Only when I got to my friend Professor Ronald Walpole of the French Department, did I find someone who would give the name a theoretical hospitality. D'Avious, he said, could not be standard French, as indeed I could see for myself, but it might have arisen from a southern dialect of French. He had not, however, ever seen the name.

At this point I had achieved a slight set-back for Mr. Compton. I telephoned him that the name might be French. I also asked him whether

Motherwell really knew how to spell the name and whether there were any variant spellings. It turned out that there was a spelling D'Avios. The existence of the variant almost doubled my task, but it made no great change in the linguistic situation.

AT THIS point I ended what I may call the theoretical approach. There was, now, no appreciable likelihood that one would find the name in, say, India or Russia. To discover whether such a name—and, consequently, such a family or such a man—existed, one must direct attention toward Latin America. One should also study France, and the adjacent countries. Plainly, since the man was said to have been in the United States, one must study the United States. The time for expert opinions had passed. Now I must settle down to that patient and careful search upon which, eventually, most scholarship is based.

First, in the university library I hunted for the name in general works of reference, such as encyclopedias and dictionaries of biography. Along with these, and of even more importance, were scholarly works on the origin of family names. Some of these are very large. One of them, for instance, lists 150,000 German family names. Since no harm ever comes from flinging a wide net, I checked such works for every European country from Greece to Norway. I paid especial attention to France, checking Chapuy's work, and the more recent two-volume study of the late outstanding French scholar on names, Albert Dauzat. I looked both for D'Avious and D'Avios, and also for Avious and Avios, on the chance that the name might appear without the preposition. Total result: nothing.

Then I started in on telephone books, of which the library has a large collection. I did all this work, I may say, myself. A scholar should not take the witness stand on the authority of hired help.

I checked Paris, and that other great French-speaking city, Brussels. I checked Geneva, and other districts of French-speaking Switzerland. I checked Madrid, Barcelona, Lisbon, Milan and Florence. Since the Philippines have a Spanish background, I checked Manila. I turned to Latin America, and proceeded systematically—from Mexico City to Santiago. I could not get anything for Paraguay and Ecuador, but I did not miss much else. I examined the telephone books of about fifty of our own largest cities, and of a few smaller ones.

I continued to look for the name with and without the D, and with and without the apostrophe, and for any name which even resembled either of the two spellings. The work was not unexciting; there was always the possibility of finding what I sought, and I was on the track of a murderer. I noted a few similar names. I can tell you that Davio is found occasionally in the United States. I also found Daviess. I can inform you also that there is a single Daviu in Barcelona, and a single Daviou in Buenos Aires. But the only name that really made me pause was the one Davios in Manhattan—Steve Davios.

To be sure, Davios is not D'Avios and much less D'Avious, but I telephoned to Mr. Compton. He was immediately interested, and said that he would have the name checked in New York, and would try to "negative" it.

ON THE morning of March 7, I was driving toward Downieville. (Since I am interested in names, I should perhaps tell you that it is named after "Major" N. William Downie, a Scot, who discovered gold there in November, 1849.) There was a heavy rain, and beautiful ribbon-falls were cascading down the sides of the steep canyon.

It is a little town of fewer than 500 inhabitants, remembered in history chiefly for the hanging of Juanita in 1851—the only woman to be lynched in California, even during the turbulent gold-rush period. The incident had served as a piquant background for a murder trial, and my newspaper had been playing the whole case as a local-color comedy. I found nothing of this on the spot. The little courtroom was filled with local people, interested but hushed. The jury was attentive; the judge, dignified. Even the opposing lawyers did not play to the stage unnecessarily. The whole atmosphere was serious, befitting a trial which might lead to an execution.

Most of the morning I spent in a small room, waiting there with other witnesses. Among them was an FBI man who had just flown in from New York. He had examined Steve Davios, and had been able to "negative" him. This Davios was born on the Greek island of Tenos. His name may be Italian rather than Greek in origin, since the Venetians have exercised a strong influence on many of the Aegean islands. He had told the FBI agent that he was, as far as he knew, the only person by that name in the United States. On hearing this, I thought I had done my work well, even though I had not found the name in Greece or Italy. Its occurrence, however, served as another reminder of the difficulty of spotting a name on theoretical grounds. By all the rules I could find, this name should not be borne by a Greek, and a professor of Greek background with whom I had checked had said that he had never heard of the name in Greece and did not believe it to be Greek.

While I was waiting, another witness was testifying (as I was later told) about some exhaustive but fruitless work at trying to find D'Avious in the records in Washington, D.C. With some scorn, the counsel for the defense had asked, "And did you try South America?" The situation was thus well set for me.

After eleven o'clock I took the stand. Mr. Compton established me as an expert witness. I then told about what I have told here, including my search through Latin America telephone books. The jury seemed attentive.

The counsel for the defense cross-questioned. At one point he brought his own family name into the discussion, as if a little publicity would not be scorned. He asked me to spell a certain name which he pronounced somewhat like D'Avious, probably trying to establish that a name cannot be exactly spelled from pronunciation. He asked me if I had found many names beginning D' (yes) and

many beginning D'A (not so many). He asked me if I had not sometimes seen the name D'Avis (I do not remember having seen it).

I had a good moment when he demanded, with the suggestion of a sneer, whether there was any particular term to designate the specialty which I presumed to profess. I replied, "Onomatology." What the court reporter made of it, I am still wondering. Afterwards, one of the reporters asked me how to spell it.

On March 15, the jury rendered a verdict of guilty of first degree murder, and on March 24, Motherwell was given a life sentence.

WHAT THEN is the solution to the mystery of D'Avious? Certainly I have not proved the universal negative. Someone reading this article may write me that he knows the name, or even that he bears it. But I believe that this chance is small. Most likely it is a coined name. Most people, when I say this, reply, "But with so many names in the world, to imagine a new one is a great and almost impossible feat!"

This is not so. When writing a novel, I have sometimes wished to give an unpleasant character a name which would not possibly reflect upon any living person. I have thus, without great difficulty, coined several plausible names which do not exist, as far as I have ever determined. There are an estimated 350,000 names in the United States alone; even so, the capacities of our language, its permutations and combinations, are so great that the number of possible names is nowhere nearly exhausted.

Motherwell is, among other things, a man of creative, though sometimes macabre, imagination — witness his burying a baby's body in a pet cemetery. He also has, apparently, an interest in names. He has passed under various aliases.

D'Avious, as seems likely, is not a real name but a product of the imagination; I can suggest ways in which it may have originated. Generally speaking, a novelist or anyone else coining a new name, starts from something familiar, and makes a variation on it. For instance, I once developed the name Martiness from the English name of Martin and the Spanish name Martínez. (Obviously I have a Mexican and not a Castilian pronunciation.) Similarly, Motherwell may have started from the common name Davis. He had to insert only one letter to arrive at Davios, and only two letters to arrive at Davious. Then, he had merely to give it what seemed to him a French or Spanish appearance by inserting the apostrophe. (Probably he knows no French or Spanish, or he would not have pronounced it in the way that he did.) Also I remember with some curiosity that Motherwell's lawyer asked me if I had ever seen the name D'Avis.

There is another possibility. The start could have been the word *devious,* which calls for the shift of only one letter and a little dressing up. Thus its coiner could enjoy a private joke by spelling D'Avious and thinking Devious.

The concern about the name, even involving the bringing of the FBI man from New York, is some indication of the care and expense with which a modern murder trial must be conducted. As for my own participation, I can draw, I suppose, the already often-drawn conclusion that basic research is never to be altogether despised. Onomatology is not usually to be considered a practical study. Yet, on occasion, such a practical organization as the Attorney General's Office can be rendered happy at finding that the state university has propagated an onomatologist.

MONITORS vs. the TEAMSTERS . . *by William Goffen*

LAST WEEK'S ousting of Godfrey P. Schmidt as attorney for the dissident Teamsters, and the scheduled trial next month of James Hoffa on charges of misusing his union's funds, focus attention on what Justice Felix Frankfurter has called "a most unusual manifestation of the equity powers" of a court—the monitorship which has ruled the union since early 1958.

Shortly after the union election of 1957, thirteen rank-and-file dissidents, then represented by Schmidt, instituted legal action to set the election aside as "rigged." After twenty-two days of trial, the plaintiffs rested, whereupon the defendants (the union's elected officials), agreed to a settlement without ever having taken the stand in their own defense. The terms were expressed in a consent decree entered on January 31, 1958, by Judge F. Dickinson Letts of the U.S. District Court for the District of Columbia, who had presided over the trial.

The settlement provided for a board of three monitors to serve until a new convention for the election of officers. One of the monitors appointed by Judge Letts was Schmidt. The officials who had been elected at the 1957 convention were to serve provisionally until the new election, which the General Executive Board of the Teamsters was authorized to call after one year, and the balloting was to be held with such guarantees of the democratic process as the secret ballot and supervision by an outside agency like the Honest Ballot Association.

Had the defendants, instead of agreeing to a settlement, gone through with the trial and then lost, the victorious plaintiffs would have achieved no more than the prompt calling of a new convention and an election under court supervision. Since Hoffa, who had been chosen president at the 1957 convention by overwhelming vote, seemed certain

WILLIAM GOFFEN, co-author of New York Criminal Law, *teaches law at the College of the City of New York and is chairman of the New York Friends Committee on Legislation.*

27d 1960

9588

A Lynching Isn't A Lynching

When is a lynching not a lynching?

Why does the nation go nuts over one dead body and not even weep a tear for another?

Why does a crime in one part of the nation become a cause celebre when an even more significant crime elsewhere wins no more than passing attention?

A development this week raises these questions. We may not supply all the answers but we believe it demonstrates effectively that the whooping and yelling in many quarters represents the maximum in inconsistency. And, we believe, it exposes the fact that the public attitude has been doped to a stupor by professional propagandists who are deliberately dedicated to creating incidents, possible for fund-raising or other devious purposes.

The scene now shifts to Chelsea, Vermont —a long way from Jackson, Miss.

The county courtroom there this week is nearly empty as a man stands trial for the lynching of a prosperous farmer more than two years ago. (This lynching has not been publicized nor even noted by the official scorekeeper of lynchings over in Tuskeegee, Ala.).

At Chelsea, Time and Life or Look haven't sent their high-powered word-slingers to "interpret" this trial for a gasping national and international audience.

Huntley and Brinkley and the other television network "analysts" are absent. The "experts" from New York, Moscow, Chicago, Los Angeles, Detroit, London and elsewhere have remained at home. The big papers in nearby Boston aren't represented. Only a few Vermont newsmen are covering the trial. The two major wire services, Associated Press and United Press International, have representatives at the trial but they apparently consider the story one of only regional interest. The Jackson Daily News has had to ask for coverage of the trial and then the wire service dispatches have been brief and incomplete. That suits us.

Simply to satisfy our own minds about our theories of inconsistent treatment of a lynching in one region compared to that of another, we reached Mr. George Root, managing editor of the Burlington, Vt., News, to check out the number of correspondents attending the trial.

Why, you may ask, does so much world apathy surround this lynching trial in Vermont: Where are the "battle zone" correspondents?

The answer is simple: first, the lynch victim was a white man; second, the incident occurred above the Mason-Dixon line. Had the victim, Orville Gibson, been a Negro and the crime occurred in Mississippi, the number of reporters covering the trial would have been such as to overflow the courtroom. Remember the Till trial?

Compare the Gibson lynching with the M. C. Parker case. Gibson reportedly was killed by his neighbors because they resented his prosperity and aloofness and because he had a fight with his hired hand. Parker, a Negro with an unsavory record which included a dishonorable discharge from the army, was killed because he brutally ravished a pregnant white woman before the terror-stricken eyes of her small daughter.

The "experts" who are ignoring the Vermont lynching trial poured into Mississippi to "analyze" the Parker case. The stories and television commentaries they authored sometimes were so distorted as to become nothing more than hysterical "hate Mississippi" propaganda. Unfortunately, this propaganda was devoured by millions of gullible people. Politicians who utilize anti-South propaganda for their own selfish ends jumped on the band wagon. There were crocodile tears and hypocritical hand-wringing in the Justice Department, Congress, Parliament, and the United Nations. The propaganda mills indeed worked overtime.

Vermont is blessed by the absence of the elements which are always so intent on creating trouble in Mississippi. We feel confident that the Vermont jury will arrive at a calm verdict in the lynching trial. We believe that Vermont is capable of handling its own local problems, as are the other states.

By the same token, Mississippi is entitled to conduct its own affairs without the harrassment of outside propaganda agents, conniving politicians, do-gooders and plain professional screwballs.

Lynchings? Why, Sure!

Herald Miami, Fla.

But Not Pickin' Time

Sat. 9-19-59.

By NIXON SMILEY
Herald Staff Writer

WHEN 17, I JOURNEYED from the swamps, pine barrens and pore cotton fields of the Deep South straight to the canyons of New York City and into the erudition of Boston.

Smiley

It was a shocking experience, as much for the New Yorkers and Bostonians as for this Cracker boy.

While on this trip I first heard about lynchings in the South. Maybe I had heard of a lynching in some distant part of the South, but we never had a lynching near where I lived.

Thus, when I hit the North I was ill prepared to discuss what I learned up there was a time. But, as it was during the less gangster wars, I did have some fear for my life while in the big cities.

★ ★ ★

I REMEMBER very well the first time I walked down a New York street. The hurry and the determined look of everyone struck me. Everybody seemed to be on a very important mission and apparently was fearful he might not get there in time.

But it also occurred to me that perhaps these people were scared. I didn't blame them. I, too, was scared. I felt sure that just around the corner I might encounter a gangland battle, with bullets flying, people running, and with bodies sprawled in the street.

After walking several blocks without seeing a body, I came to the conclusion that New York was a fairly peaceful place.

★ ★ ★

MOST OF THE PEOPLE I met in New York knew nothing about the South. Yes, they had heard of it. Where was it? Was it in the United States?

In Boston, though, it was different. Here the people seemed more cultured. They had heard about the South. They knew all about its poor land, its abysmal ignorance, its incredible poverty. Yes, they knew the South was in the United States, and they were ashamed of it.

"What do you do with the bodies when you have your lynchings?" I was asked.

The question floored me. I was so ignorant, being from the South, that I had not heard about such things.

★ ★ ★

"DON'T TRY to cover up, my dear fellow," I was told. "We know all about your lynchings. Don't we read about them every day in the newspaper?"

Every day? I told my inquisitors that I had read the papers every day since coming to Boston and had not seen anything about lynchings.

"Well, you've been here only a few days, and perhaps it's true that no lynchings have occurred during that time," I was told. "Or, perhaps the newspapers have been filled with more important things and the lynching stories have been crowded out."

★ ★ ★

AFTER A COUPLE of weeks it began to dawn on me that I was making a fool out of myself. There was no use denying we had lynchings in my home town. It was like denying that we had cotton or poverty in the South.

So, just before I parted I "confessed."

"Sure, we have lynchings," I said. "They're fun. You should come down and see one."

Eyes got as big as saucers.

"Don't come at cotton picking time," I said, "No, you won't see any lynchings at that time. We need everybody for picking cotton."

"How do you go about lynching somebody?"

"Well, we make up a party and then we grab the first fellow who comes by. We tie his feet to the back of a car (I learned this in Boston) and drag him through the streets

Cracker Viewpoint

until he is nearly dead, and then we hang him to a tree or something."

★ ★ ★

"HUMPH! HOW OFTEN did you say you had these lynchings?"

"Oh, about every Saturday night during the lynching season; sometimes more often during holidays."

"How terrible. How utterly fantastic. How fantastically horrible.'"

But they enjoyed my lies. They sat there enraptured. I was a hero. I not only had seen lynchings, but had participated in them.

★ ★ ★

"CAN YOU TIE a hangman's noose?"

"Why, sure."

I used the end of a window sash cord to show them how, It was easy. I probably had learned this trick in the Scouts.

That did it. They were wild-eyed and horrified. If there had been enough of them to make a mob they probably would have carried me on their shoulders.

Next morning I bought a paper as I was preparing to leave Boston. I thought that a reporter might have been on hand to record my experiences.

But there wasn't a thing on lynchings. Instead, there was a big banner: New Gang War Breaks Out.

"How glad I am," I thought to myself, "that I am getting out of this place. A fellow could get killed here."

27d 1960 DISCUSSIONS TUSKEGEE INSTITUTE REPORT 9587

"Anyone For A Lynching?" Said Congolese Soldiers

IN THE EMBROGLIO of the Congo things proceeded in hectic fashion as they seem destined to proceed for some time to come. But now in the struggle last week there came a novel angle. Ghana soldiers, who represent the UN and are Negro, only by a slim margin managed to prevent a crew of native Congolese soldiers from actually lynching Patrice Lumumba, the sometimes-is sometimes-ain't premier of that troubled land. The Birmingham (Ala.) News Sun. 9-18-60

The lynching attempt brought wry smiles from some with whom we talked. This because the term lynching almost customarily is applied by the uplifters only to tragic incidents in the American South.

One wag suitably put the question whether Tuskegee Institute, which keeps records annually on lynchings in this country, and most especially in the South, might serve some purpose by starting a record of such acts in the African hinterland.

Rape Victim Identifies Negro Suspect

By ART OSGOODE

An East Montgomery housewife took the witness stand for the second time in Circuit Court Monday to tell of a bitter fight that ended in her rape.

And she positively identified Drewey Aaron, 24-year-old Negro defendant, as the man with whom she struggled for minutes inside a darkened closet.

Aaron is being tried a second time on the rape charge. Previously convicted, and sentenced to death, he won a new trial when the Alabama Supreme Court reversed his previous conviction.

TELLS OF ATTACK

The rape victim Monday was composed as she told of the attack in her home on June 27, 1959.

She said she left work at noon or shortly after, and picked up her year-old child at an aunt's house. On arriving home, she said she unlocked a door to reach inside to get a stroller for the child.

Then, she related, she moved watering hoses in her yard before re-entering the house.

It was after placing the child in its nursery and dressing in a blouse and shorts, she said, that she opened the door to a closet.

"When I pulled the door open, there was a Negro man in the closet. Immediately, he jerked me into the closet."

FIGHT ENSUED

In the fight that ensued, she said, glass and plaster were shattered as she struggled, sometimes on her feet, sometimes on the floor with her assailant's foot pressed against her throat.

He tried to choke her, she said, and she tried for a while to scratch him, giving it up when it seemed to gain her no advantage. She estimated the struggle lasted 10 to 15 minutes.

The door fell open and she and the Negro fell into the kitchen, she continued, where they struggled for several more minutes as he sought to twist a necktie around her wrists.

She said he then pulled her into the hall and eventually into her bedroom. "But this time I was pretty much exhausted."

The Negro then tied her wrists with a bluish-gray tie and got one of her husband's ties to tie her ankles with, she said. "Then he got a throw rug and threw it over the upper part of my body."

GLASS OF WATER

The youthful victim then told of hearing her assailant go into the kitchen, open the refrigerator and make himself a glass of ice water.

Returning, she said, he twisted a coat hanger about her wrists and put a silk handkerchief over her eyes. "Then," she said, "he proceeded to rape me."

He then left to make more ice water before leaving the house, she related, after which she reached a telephone to call police, who arrived shortly after her husband returned home.

Other testimony Monday was presented by Police Lt. R. D. Moody, who identified pictures he took following the attack, showing the victim's swollen face and the battered closet in which the struggle took place.

Two other witneses, Lt. Charles Miller and M. Sgt. L. A. Boyd, both of the Alabama Air National Guard, identified an aerial photograph of the area in which the attack and subsequent bloodhound chase took place.

DEFENSE OBJECTIONS

Introduction of the aerial photograph drew repeated objections from defense attorneys Solomon Seay Jr. and J. L. Chestnutt Jr. Chestnutt is from Selma. They also questioned Boyd and Miller closely on the accuracy of the photograph.

The trial got under way with the questioning of prospective jurors by the defense attorneys, who asked each if he were a member of the Ku Klux Klan or White Citizens Council.

No juror acknowledged membership in the two organizations, but several said they had contributed to the Citizens Council.

Among the other questions were these:

—Do you believe in the same justice for whites as for Negores?

—Do you believe Negroes inferior to whites?

—Would you inflict the death penalty on a white man charged with raping a Negro woman, if the testimony indicated such a penalty?

—Do you believe in white supremacy?

EQUAL BEFORE LAW

Many of the jurors answered the questions dealing with white supremacy by saying they believed Negroes and whites were equal before the law.

The trial was recessed shortly after 6 p.m. to be resumed Tuesday morning.

Prior to the Aaron trial, five other Negroes were sentenced in capital cases.

Roosevelt Sankey, 55, was sentenced to life for the shotgun slaying of his wife, Pauline.

Jessie L. Allen, 47, was sentenced to 20 years in prison for nighttime burglary.

Johnnie Lee Ballard, 24, was sentenced to three years for the fatal stabbing of Otis Pruitt, another Negro. The charge was reduced from murder to first degree manslaughter.

Peter James Brown was sentenced to 24 years for killing Flossie Mae Brown with a pistol.

Charlie Davis was sentenced to 10 years for taking $236 in a service station robbery.

The sentences were all reached through agreement of Solicitor William Thetford and defense attorneys. Brief testimony was given in each case to establish the commission of the crime, and a jury was asked to ratify the sentences.

Negro Gets 20 Years On Rape, Rob Charge

MOBILE, Sept. 26 (UPI)—Joe Louis Dickerson was sentenced to 20 years in prison today after he pleaded guilty to rape and three charges of robbery.

Circuit Judge Bowen W. Simmons imposed the sentences on recommendation by Deputy Solicitor James T. Strickland who also suggested that two lesser charges against the 17-year-old Negro be dropped.

Police said Dickerson admitted several attacks on Negro women in Prichard.

CAPITOL ROUNDUP

Mobile Negro Granted Reprieve Of 4 Weeks

By BOB INGRAM

A Mobile County Negro facing death in Kilby Prison's electric chair Friday was granted a four weeks reprieve Wednesday by Gov. John Patterson due to the absence of the defendant's attorney.

Patterson re-set the execution date for Willie Seals Jr. for Nov. 4 and postponed the clemency hearing on the Negro until Nov. 2.

The delay came after the governor learned that Wallace Johnson, court-appointed attorney for Seals, was involved in a court case and could not be present for the clemency hearing.

Seals had already been brought to the conference room at the Capitol for the hearing when the governor announced the reprieve. Also on hand were the defendant's parents, his brother, wife and six-year-old son.

NEW TESTAMENT

Seals, a slender, light-skinned Negro, sat calmly in the conference room waiting for the hearing to start. He had a New Testament in his shirt pocket.

The 26-year-old Negro was given the death sentence for the rape of a young white mother in June, 1958. The victim identified Seals and another Negro, Arthur Lott, as the two men who attacked her after she had driven her car into a ditch while driving home.

Lott confessed to the crime and received a life sentence. He identified Seals as the other assailant. Seals insisted at his trial that he did not know Lott and that he knew nothing of the crime.

Husband Supports Story Of Assault

Accused Negro Again Stands Trial At Montgomery

MONTGOMERY, Ala., Nov. 29.—(AP)—The husband of a white woman criminally assaulted by a Negro testified Tuesday he found his wife beaten and bloody and a coathanger wrapped around her arm after the attack.

His testimony supported that of the housewife, who Monday identified Drewey Aaron, 24-year-old Negro, as the man who attacked her in her suburban home June 27, 1959.

The husband told the jury he found his young wife in a daze, standing in the kitchen, when he arrived home shortly after the attack. He said she had evidently put up a bitter struggle.

Prosecuting attorneys put the husband on the stand during Aaron's second trial on the rape charge. The Negro was convicted and sentenced to death last year, but the first conviction was thrown out by the state Supreme Court.

Earlier Tuesday the Kilby Prison dog warden, whose testimony at the first trial led to the reversal, was cautiously questioned about the chase of the bloodhounds under his supervision.

Clyde Carpenter testified at the first trial that the fugitive left in a car from the place where the dogs lost his trail. The Supreme Court said that was merely his opinion, and ordered a new trial.

Jury Again Rules Death For Aaron

By ARTHUR OSGOODE

A young Negro father stood impassively in Circuit Court here Tuesday night and for a second time heard a jury sentence him to die in the electric chair for the rape of a white woman.

Drewey Aaron was convicted by an all-white jury after about 65 minutes of deliberation.

He betrayed no sign of emotion. His wife and foster mother sobbed softly on hearing the verdict. Their weeping turned into wailing as they left the courtroom and went out into the street.

Before retiring, the jurors had heard Solicitor William Thetford reconstruct the event of June 17, 1959, when Aaron was arrested a few hours after a young mother reported she was raped by a Negro in her home in the eastern outskirts of Montgomery.

BITS OF PLASTER

Thetford pointed to the positive identification of Aaron by the rape victim during the two-day trial. He stressed the scientific evidence of a state toxicologist, Vann Pruitt, who identified bits of plaster found in Aaron's trouser cuff as coming from a closet in which the rape victim struggled with her assailant.

And he recapitulated testimony concerning Aaron's capture in a fleeing automobile that left an area where bloodhounds lost the scent they had followed from the rape scene.

Solomon Seay Jr., defending Aaron, argued that the evidence against him was conjecture and suspicion. But he also urged that defense testimony showed Aaron to be insane.

Pounding home this point, he turned to where Aaron sat impassively across from the jurors. "He lacks even sufficient mentality to appreciate the gravity of the crime," said Seay.

Seay also pointed to the inability of the victim to pick Aaron

...m a lineup of several Negroes a little more than an hour after the attack.

Thetford asked for the death penalty—"a verdict that will show we will not tolerate rape."

The defense rested its case after presenting Aaron's wife, foster mother, and a series of relatives and acquaintances.

Most of their testimony related to Aaron's mental condition and the fact that his real mother had died in an insane asylum. Each said they believed him of unsound mind.

His wife said the only offense she knew him to have been convicted of was a reckless driving charge. She said they have been married seven years.

Henrietta Aaron, his foster mother, said his real mother "just didn't have good sense" and that she had observed some of his mother's irrational traits in Aaron.

But, she said: "I just loved him so hard I didn't want to say his mind was as bad as it is." She said Aaron often complained of a "roaring in his head" which kept him from picking cotton and made "his eyes turn as red as a coal of fire."

BELIEVED SANE

The prosecution in rebuttal presented fellow employes of Aaron and Montgomery psychiatrist Dr. Philip Bazar, each of whom said they believed Aaron sane. Bazar said he examined Aaron, but admitted under cross-examination that he did not learn there was insanity in his family.

Among other defense witnesses was Ernestine Aaron, a distant relative of the defendant who said it was not true that he had once attempted to rape her.

Prosecution witnesses Tuesday included the husband of the victim, who told of coming home to find her bruised and disheveled with a clothes hanger twisted about one wrist.

Her physician also testified, describing her injuries. He said she was suffering "moderate shock" when he arrived at her home. He also testified that he did not believe she was in condition to make an identification when she was asked to view Aaron and several other Negroes in a lineup.

Clyde Carpenter, dog warden at Kilby Prison, told of following bloodhounds on a trail that led from the home to a point where other officers saw Aaron emerge in a car.

DID NOT REPEAT

But he did not repeat the testimony on which the earlier conviction of Aaron was reversed by the Alabama Supreme Court. The case was sent back for new trial because Carpenter had said the dog lost the trail because the fleeing assailant "got off the ground," possibly into a vehicle.

This the court held to be improper testimony, since it was speculation on the part of the witness.

Sheriff's Deputy Greer Lifford testified that he and another deputy heard the dogs as they saw a car emerge from a small dead end road and back into Todd road. He said the car was stopped after a chase of almost two miles at speeds up to 70 miles an hour.

Aaron was alone in the car and was promptly placed under arrest, said Lifford.

TESTIMONY READ

Testimony of Pruitt, who recently resigned as toxicologist, was read by Thetford and Deputy Solicitor Robert Stewart. State attorneys had earlier explained that Pruitt is now living in Tennessee and that they were unable to bring him to court to testify.

The testimony by Pruitt was read from the record of the earlier trial.

The case is now to go back to the Alabama Supreme Court, to which death penalties are automatically appealed.

Circuit Judge Eugene Carter presided over the trial, which began Monday afternoon.

Couple freed of rape charge

BAY MINETTE, Ala., Sept. 30—(AP)—A former funeral home director and his wife have been acquitted of rape charges.

Douglas and Elizabeth Walker had been indicted in an alleged attack on their 16-year-old babysitter at their home Aug. 27. A Circuit Court jury yesterday deliberated one hour in freeing them.

The indictment had charged that they gave the girl something to drink which left her defenseless and that Walker raped her.

Mr. and Mrs. Walker had been free under $5000 bonds before the one-day trial, attended by four of their children. Walker formerly ran a funeral home in nearby Foley.

Patterson Reprieves Negro Rapist

MONTGOMERY (AP) — Convicted rapist Willie Seals Jr won a one-month reprieve from the electric chair Wednesday when his attorney was unable to attend a clemency hearing.

Gov. John Patterson postponed Seal's execution date from early Friday to Nov. 4. The hearing was rescheduled for Nov. 2.

Seals, a 26-year-old Mobile County Negro, was sentenced to death for the rape of a 24-year-old former Auburn coed near Prichard in June, 1958.

She testified that he was one of two Negroes who dragged her from a telephone booth and beat and raped her Seals has insisted reportedly that he is innocent.

The slender Negro was accompanied by members of his family at Wednesday's scheduled hearing.

Patterson ordered new hearings and execution dates set after Kenneth Martin, law partner of defense Attorney Wallace Johnson said Johnson was unable to attend because of court proceedings elsewhere. Johnson was appointed by the court to represent Seals on appeal.

The second Negro, Arthur Lott 22, of Mobile, also was convicted of rape and sentenced to life imprisoment.

Negro rapist facing chair; gets reprieve

MONTGOMERY, Ala., Oct. 6—A 26-year-old Mobile Negro condemned to die for raping a young white divorcee won a one-month reprieve yesterday.

Gov. John Patterson reset a clemency hearing for Nov. 4 when the young Negro's court-appointed attorney was unable to appear.

PATTERSON had set the hearing yesterday for Willie Seals Jr., who had been scheduled to die in Kilby Prison's electric chair at midnight tomorrow.

His attorney, Wallace Johnson of Mobile, was a witness in another case at the scheduled time of the hearing.

Johnson's law partner, Kenneth Martin, asked for the postponement.

Seals was conviced of raping a 24-year-old Mobile woman who had auto trouble while returning from a party. A companion, who identified Seals as participating in the assault, is awaiting trial.

Stay Of Execution Granted To Negro

Patterson Permits Review Of Willie Seals Case

MONTGOMERY, Ala., Nov. 1.—(UPI)—Gov. John Patterson granted a 30-day stay of execution Tuesday to condemned rapist Willie Seals Jr. to permit the state Supreme Court to review the case.

Seals, convicted two years ago by a Mobile Circuit Court jury of dragging a 24-year-old white divorcee from a telephone booth and beating and assaulting her, was scheduled to die Nov. 4 in the orange-colored electric chair at Kilby Prison. However, Governor Patterson reset the execution for Dec. 2.

Patterson granted the stay after the 26-year-old Mobile Negro's attorneys filed for a review of the case by the state high court.

Seals' clemency hearing has been rescheduled for Nov. 30. He was originally expected to ask for mercy Wednesday.

The assault victim, a mother and former coed at Auburn University, picked Seals and Arthur Lott, 22, of Mobile out of a police lineup and positively identified them as the two Negroes who attacked her. Lott was convicted of the charge and sentenced to life imprisonment. He is now serving the sentence behind the maximum security walls of Kilby Prison.

Seals, however, has repeatedly maintained he is innocent of the crime.

During the tral, the victim, mother of a small daughter, tod the cour her car skidded off a road in a darkened Prichard Negro residential area June 16, 1958. She said she climbed from the car, lying tilted in a ditch, and walked to a nearby telephone booth to call for a wrecker.

2 Convicted In Rape Case

HUNTSVILLE (AP) — Two white brothers have been convicted and sentenced to 10 years imprisonment for the rape of a Negro girl on a lonely road near here.

The circuit court jury was out about two hours before returning the verdict against William Bud Alverson, 26, and Bobby Alverson, 23. Both live at Hazel Green, a community near this north Alabama city.

The 16-year-old victim testified the pair dragged her from a parked car where she was sitting with a boy friend on a rural road near here last June. She said she submitted without a struggle after one of the men threatened her with a knife.

Patterson Stays Rapist Execution

MONTGOMERY, Nov. 1 (UPI)—Gov. John Patterson granted a 30-day stay of execution today to condemned Rapist Willie Seals Jr. to permit the State Supreme Court to review the case.

Seals, convicted two years ago by a Mobile Circuit Court jury of dragging a 24-year-old white divorcee from a telephone booth and beating and raping her was scheduled to die Nov. 4 in the orange-colored electric chair at Kilby Prison. However, Patterson reset the execution for Dec. 2.

Patterson granted the stay after the 26-year-old Mobile Negro's attorneys filed for a review of the case by the state high court.

Seals' clemency hearing has been rescheduled for Nov. 30. He was originally expected to ask for mercy tomorrow.

RAPE SUSPECT'S TRIAL WILL BEGIN

ATHENS, Ala., (AP)—The trial of Joe Henry Johnson, 17-year-old Negro, on charges of first degree murder in the rape-slaying of an elderly spinster will open Wednesday.

Johnson was arrested the day after the slashed and battered body of Miss Dicie Boyd, 62, was foundon a farm she and her mother operated.

Johnson, who lives in the area, formerly worked on the Boyd farm near this north Alabama town.

Since his arrest, Johnson has been held outside Limestone county as a precautionary move.

Rape-Slaying Trial Nears End

Defense Asks Life For Negro Youth

ATHENS, Ala., Jan. 21 (AP) — Trial of a 17-year-old Negro in the rape-slaying of a 62-year-old white woman recessed late today with final arguments before a Circuit Court jury expected tomorrow.

Joe Henry Johnson is being tried on a charge of first degree murder in the death of Miss Dicie Boyd at her farm house near here last November.

A state investigator today testified that the youth admitted that he raped, slashed and beat the woman to death.

R. W. Godwin read a 19-page statement he said police took from the youth shortly after the woman's body was found in her barn.

The victim's mother, Mrs. Rowena Boyd, 88, was found beaten in the house. A physician testified that she still was in no condition physically to attend the trial.

The youth, held outside of Limestone County prior to his trial which began Tuesday, also has been indicted on charges of rape with intent to murder.

Guilty Plea

The statement read at the trial today quoted Johnson as saying he beat and raped Miss Boyd after she caught him abusing a cow in the barn. The statement said he then beat her mother with her own cane and rummaged around the house looking for money.

Johnson, who stood quietly at his arraignment last week, entered a plea of guilty Wednesday.

A court-appointed attorney, Bruce Sherrill, today asked the jury to impose a life sentence instead of the death penalty. He cited the boy's age and said he acted more like an animal.

"I submit to you at the time that he had no mind and no reason. He was in another world, so to speak," Sherrill said. He said the boy's record was "as clean as a pin" before the slaying.

The only defense witness was the boy's mother, Mrs. Andize Johnson, 37, Pulaski, Tenn. She testified that her son was injured in a farm accident last March and since had suffered blackouts.

Brutal Crime

Limestone Solicitor (prosecutor) James Woodroof told the jury the crime was "The most brutal, most barbaric crime ever committed in Limestone County. It's shocking. It boils your blood."

Extra police were on duty as a precaution against possible demonstrations when the youth was brought to trial Tuesday, but the only disturbance was an outcry from a Negro woman in the back of the courtroom when the boy was brought in.

An angry posse combed the countryside the day the victim's body was found. Johnson was taken into custody by sheriff's deputies shortly after the slaying and removed from the county as a precautionary measure.

Negro Gets 99 Years In Rape Trial

MOBILE (UPI) — Convicted rapist Sam Smith was back in county jail today, awaiting an appeal to the Alabama Supreme Court that he hoped would spare him a 99-year prison term.

The 31-year-old Saraland Negro, who a psychiatrist testified is "mentally retarded," was convicted Thursday of raping a young white mother of three.

The jury, which deliberated 2½ hours, recommended the penalty and Judge Bowen W. Simmons immediately sentenced Smith to Kilby Prison. He would be eligible for parole in 10 years.

The slightly built Nego pleaded innocent and innocent by reason of insanity to the charges, but a lunacy commission ruled him sane.

Circuit Solicitor Carl M. Booth asked the jury to impose the death penalty for the Oct. 16 crime.

Smith stared straight ahead and held his hands clasped during the trial and betrayed no emotion when the sentence was announced. He appeared briefly on the stand but his attorneys withdrew him without permitting him to testify in his own defense.

The 24-year-old victim of the crime and her 5-year-old son testified about the rape. The woman identified Smith as the man who awoke her in a chair where she had fallen asleep and raped her twice within two hours.

The boy, who sat atop the witness stand because he could not be seen if he sat in the chair, told of climbing into his father's rocking chair to get a loaded pistol for his mother, but said the Negro took it away from him.

Rape Trial Jury Chosen At Mobile

MOBILE (AP) — An all-white jury was chosen Monday to try a 31-year-old Negro on a rape charge. Selection of the jury followed a refusal by Circuit Judge Bowen W. Simmons to dismiss the indictment against Sam Smith of Saraland.

Picking of the 12 jurors and one alternate was completed late Monday and court was recessed until Tuesday, when opening statements will be presented.

Three Negroes were on the jury panel but were not chosen. One disqualified himself as opposed to capital punishment and the other two were struck by the prosecution.

Negro attorneys for Smith had contended that Mobile County's system of selecting a grand jury discriminated against Negroes. After denial of the motion the defense attorneys then moved for dismissal of the jury venire on similar grounds.

The state presented testimony that Negroes have served on grand juries and consistently are called on petit jury panels.

Smith was indicted on a charge he broke into a home at nearby Georgetown the night of Oct. 16 and raped a young white mother.

Negro Gets 99-Year Term In Rape Case

MOBILE, May 19 (AP) — A 31-year-old Negro was convicted today or raping a young white mother. Sam Smith of Saraland was sentenced to 99 years in prison.

The all-white circuit court jury deliberated about 2½ hours after completion of the four-day trial.

Smith's attorney's filed notice of appeal.

Smith was charged with breaking into a home in nearby Georgetown the night of Oct. 16 and raping the 24-year-old woman twice. She identified him from the stand as the man who assaulted her.

The woman's 5-year-old son testified he got a pistol from on top a dresser and attempted to give it to his mother but the Negro took it.

Smith did not testify. He pleaded innocent and innocent by reason of insanity. A sanity commission earlier this year pronounced him legally sane.

Smith will be eligible for parole consideration after serving 10 years.

Rape Trial Of Negro Opens In Mobile Today

MOBILE, May 8 (UPI) — Sam Smith, 31, Saraland Negro, is to go on trial in Circuit Court here tomorrow on charges he broke into a Georgetown residence and raped a young white mother Oct. 16.

Smith was indicted on charges of rape and first degree burglary but Circuit Solicitor Carl M. Booth said the Negro would be tried for rape.

Conviction on either charge carries a penalty ranging from 10 years to death by electrocution.

Smith has pleaded innocent and innocent by reason of insanity. Judge Bowen W. Simmons of Opp, here to relieve crowded court conditions, will preside.

Sheriff Ray D. Bridges said a woman employe on Brookley Air Force Base drove her car into her garage in the Georgetown community 20 miles northwest of here last Oct. 16. A Negro sprang out from under a table but fell and the woman fired a shotgun at him five times.

Several hours later, a 24-year-old mother of three was awakened by a Negro advancing toward the with a housecoat held in front of his face. The victim claimed the Negro stayed in the house several hours during which time he raped her twice.

Officers believed the two incidents involved the same Negro and car keys were found where the Negro first fled from the garage. The keys fitted an abandoned automobile found nearby. The car was traced to Smith.

A lunacy commission ruled Smith sane and able to stand trial.

Negro Given Death Stay

Charles C. Hamilton, 26-year-old Birmingham Negro scheduled to die in Kilby Prison's electric chair Thursday night, was granted a reprieve Wednesday until July 29.

Gov. John Patterson ordered the stay of execution so Hamilton can have the full 25 days in which to apply for rehearing on his appeal to the U.S. Supreme Court. The tribunal refused to intervene June 27.

The reprieve was granted so that Hamilton won't be executed early Friday when he is entitled to make a new appeal anytime throughout that day, the 25th since the high court ruling.

Hamilton was sentenced to death on two convictions of nighttime burglary — burglary with intent to ravish and burglary with intent to steal. He was captured Oct. 13, 1956, in the Birmingham home of Mr. and Mrs. Jacob Cyril Milko.

Milko testified at the trial that he found Hamilton, clad only in underwear, in the bedroom of his wife's elderly grandmother, Mrs. Mary Giangrosso.

Charges Dropped In Rape Case

Special to The Post-Herald

COLUMBIANA, June 30—Charges of rape placed against three Bessemer-area youths by a 16-year-old Pelham girl have been withdrawn and the boys released from the County Jail here.

The youths, Tommy Tyler, 16; Jerry Tyler, 18, and Wayne Fluker, 18, had been scheduled for a preliminary hearing in Law and Equity Court today.

They were arrested last week-end on the girl's complaint that she was raped at gunpoint at a swimming hole on the Cahaba River last Friday night. The youths maintained the girl sub- mitted voluntarily.

Negro Loses Court Appeal For Retrial

Clarence Hamilton, a condemned Negro, is headed for the electric chair unless the courts or Gov. John Patterson grant him a stay of execution.

Hamilton's petition for the right to reopen his case in the trial court was turned down Monday by the Alabama Supreme Court.

The 26-year-old Negro who was convicted of nighttime burglary with intent to ravish and to steal can appeal the Alabama court's decision to the U.S. Supreme Court, but he must get a reprieve first.

He can get it from the court here, or the tribunal in Washington. Or the governor can grant him a stay until he has had a chance to take his new appeal for life to the nation's highest court.

The Supreme Court here said it will hear arguments on a reprieve Wednesday if the condemned man's lawyer wants to appeal.

Hamilton was captured Oct. 13, 1956 in the Birmingham home of Mr. and Mrs. Jacob Cyril Milko.

Milko testified he found the Negro clad only in underwear, standing in the bedroom of his wife's elderly grandmother.

Nightime burglary of an occupied dwelling with intent to commit a felony is punishable by death in Alabama.

Hamilton appealed his conviction to the U.S. Supreme Court and was turned down. His petition for the right to reopen the case in the trial court was based on a claim of new evidence.

The Negro has already had a clemency hearing before the governor, who can commute the death sentence to life imprisonment. No decision was announced, however, because the conviction was appealed to the Supreme Court in Washington first.

Negro Granted Stay Of Execution

Clarence Hamilton, condemned Negro facing death in the electric chair Friday, Wednesday won a three-month reprieve to allow him to make another appeal for his life.

The Alabama Supreme Court ordered a stay of execution until Nov. 18 so that the Birmingham Negro can make an appeal to the U.S. Supreme Court.

In their appeal to the Washington tribunal, Hamilton's attorneys will contest the Alabama court's refusal Monday to authorize a reopening of the case on the claim of new evidence.

Hamilton was sentenced to death for nighttime burglary with intent to rape and intent to steal. Partly undressed, he was caught Oct. 13, 1956, in the bedroom of an elderly white woman in Birmingham.

Peter Hall of Birmingham represented Hamilton at the hearing Wednesday before the State Supreme Court, after which the stay of execution was granted.

Brothers get 10 years in rape of Negro

HUNTSVILLE, Ala., Oct. 26—Two white brothers accused of raping a Negro girl on a lonely road near here last June 26 were found guilty by a Circuit Court jury here late yesterday.

William Bud Alverson, 26, and Bobby Alverson, 23, both of Hazel Green, were sentenced to 10 years in prison, according to Solicitor Macon L. Weaver.

The jury deliberated less than two hours before returning the verdict.

The victim, 18, testified that the two brothers pulled her from a car parked in the vicinity of Scruggs Barbecue.

She said the older man first took her down a road and threatened to kill her with a knife if she didn't do as he said. She said she submitted without a struggle.

Gilbert Patton, Negro boy friend of the victim, identified the deefndants as the men who slashed him on the hand, leg and throat. He said he escaped by fleeing through a corn field.

The Negro testified that the men claimed to be police officers and that they rammed his auto when he tried to pull off.

WEAVER SAID two other white youths were in the car with the brothers prior to the rape. One fled before the assault, he said, and the other waited in the field.

The victim said she and her boy friend attended church during the day of the attack and had parked on the road.

27e(2) 1960 ALABALA 9591

Negro, 17, Indicted By Jury In Limestone Rape-Slaying

The Montgomery Advertiser

ATHENS (AP) — A Limestone County grand jury Tuesday indicted a 17-year-old Negro in the rape-slaying of a farm woman and the beating of her mother.

The jury indicted Joe Henry Johnson on charges of murder, rape and assault with intent to murder.

He was arraigned on the murder charge and his trial was scheduled to begin Jan. 20.

The charges grew out of the knife and bludgeon slaying and rape of Miss Dicie Boyd, 62, and the beating of her 88-year-old mother at their farm home near this north Alabama town last November.

Johnson, who worked on the Boyd farm, was arrested a few hours later.

The arrest was made at Johnson's home near Prospect, Tenn. the night of Nov. 1.

The Boyd farm overlaps the Alabama-Tennessee border but the residence and scene of the crime is in Alabama.

Miss Boyd's body, cut and brutally beaten, was found nearly nude in a barn near the house.

Her mother was found slumped in a rocking chair in the house. She was taken to a hospital at Pulaski, Tenn., in serious condition from a severe beating.

County Solicitor Jim Woodroof said Johnson, shortly after his arrest, signed a statement admitting that he raped and killed Miss Boyd in the barn and then went into the house and beat her mother with a walking stick.

Woodroof said the youth then ransacked the house seeking money.

Feeling ran high in the isolated area of the Boyd farm following the slaying and an angry posse of about 50 men combed the area during the night.

Woodroof said there was no serious threat of violence at the time but Johnson was moved temporarily to an undisclosed jail as a precaution.

AT ATHENS

The Alabama Journal

Rape-Slayer Gets Death Sentence

Montgomery, Ala.

Sat 1-23-60

ATHENS, Ala. (AP)—Joe Henry Johnson, 17-year-old Negro, has been sentened to die in the state's electric chair April 22 for the rape-slaying of a 62-year-old white woman.

Johnson pleaded guilty to the first-degree murder charges in the knife and bludgeon slaying of Miss Dicie Boyd last November.

A Circuit Court jury deliberated one hour and 35 minutes Friday before convicting him and fixing the death penalty, which automatically will be reviewed by the Alabama Supreme Court.

Only one defense witness, Johnson's mother, testified during the three-day trial. Mrs. Andize Johnson, 37, of nearby Pulaski, Tenn., testified her son was injured in a farm accident last March and since has suffered blackouts.

She broke into sobs as the verdict was announced, but her son didn't change expression.

There was no audible reaction in the courtroom packed with more than 300 spectators.

There was no sound from the youth's trembling lips when Circuit Judge Newton B. Powell asked if he had anything to say.

His court-appointed attorney told the judge: "The defendant said, 'No, Sir.'"

Attorney Bruce Sherrill had asked the jury for a life sentence in lieu of the supreme penalty because Johnson "acted without reason, more like an animal. He was in another world, so to speak."

But Circuit Solictor James Woodruff called the crime "the most brutal, most barbaric. . . ever committeed in Limestone County."

Miss Boyd's body, battered and nearly nude, was found in a barn on a farm she and her mother operated near this North Alabama town. The victim's mother, Mrs. Rowena Boyd, 88, was beaten severely.

A statement read at the trial quoted Johnson as saying he killed Miss Boyd and beat her mother after the victim caught him abusing a cow in her barn.

Negro is found guilty, faces chair in killing

The Birmingham News

BY CHARLIE GRAINGER
News staff writer

ATHENS, Ala., Jan. 22—A Limestone County jury found today a 17-year-old Negro guilty and recommended death in the electric chair in the rape-slaying of an elderly white woman.

Joe Henry Johnson, of Prospect, Tenn., Rt. 1, took the sentence without any display of emotions.

The all-white jury deliberated one hour, 35 minutes before reaching the verdict.

HIS COUNSEL, earlier, had pleaded him guilty of first-degree murder but asked that the young share-cropper's life be spared.

When Circuit Judge Newton B. Powell set the date for the execution as April 22, the defendant was asked if he had anything to say.

HIS LIPS QUIVERED, but no sound came out.

A court-appointed defense attorney, Bruce Sherrill, informed the judge, "The defendant said, 'No sir.'"

His mother, Mrs. Andize Johnson, broke into sobs after the sentence was read.

The death penalty is automatically under appeal before the State Supreme Court under Alabama law.

Circuit Solicitor George Johnson demanded the death penalty for 17-year-old Joe Henry Johnson, accused of the rape-slaying of Miss Dicie Boyd, 63-year-old white spinster. He has not been tried on the rape count.

"THE SAFETY of the womanhood of Alabama is not for compromise," Johnson declared in an hour long plea. "We cannot put the virture of our womanhood on sale in a court of justice."

He asked that Johnson be electrocuted as "an eternal warning that Limestone County believes in justice."

Court-appointed Defense Attorney David U. Patton, in his final bid to save the confessed slayer, called for "Christian charity" and painted a harrowing picture of death by electrocution.

"I AGREE THAT he should wear the stripes of a prison convict for the reat of his life and be banished from society, but we should give him time to work out his salvation," Patton asserted.

He said capital punishment has never prevented crime.

On trial in rape, slaying— State asks death penalty for Negro

The Birmingham News

BY CHARLES GRAINGER
News staff writer

ATHENS, Ala., Jan. 21—The state today demanded the death penalty for a young Negro accused of raping and murdering an elderly white woman.

Attorneys for Joe Henry Johnson, 17, yesterday admitted his guilt in the brutal killing of Miss Dicie Boyd, 63, the only charge on which he is being tried, but asked that his life be spared.

GRAINGER

"We concede that he has forfeited his right to live with his fellow men and that he should be sentenced to prison for the rest of his life," said Atty. David U. Patton.

"The fact that he confessed to the crime does not in any way minimize the state's request for the supreme penalty," asserted Circuit Solicitor George Johnson.

"We say he should pay his debt to society. And there is no mitigation because of his age," the solicitor declared to the all-white jury.

ABOUT 25 highway patrolmen, sheriff's deputies and other police kept watch at the trial, and more were on call.

Johnson, who formerly worked for Miss Boyd and her 88-year-old mother, Mrs. Rowena Boyd, lived about two miles away in Giles County, Tennessee.

The youth also is accused of bludgeoning the elderly Mrs. Boyd after he allegedly beat her daughter to death in the couple's barn.

THE PROSECUTION is expected to finish its case today. No defense witnesses were sworn yesterday.

The largest trial crowd in Limestone County history quickly filled the courtroom, which seats about 400. At least 400 more packed into the corridor outside—many pushing against the doors in an effort to hear the proceedings.

Judge Newton B. Powell had ordered officers not to allow more than the seating capacity into the courtroom.

The Negro appeared calm as he sat at the witness table, mostly with his head down. However, he trembled visibly as he stood by a window during a recess.

Yesterday's first witness, Joe Croley, a nephew of the slain woman, told of visiting the Boyds, who lived alone in a farm home, at 4:30 p.m. last Nov. 1.

Tyson Townsend, another nephew, said he found the body of Miss Boyd a few minutes before 7 p.m. The slaying took place between those two times.

Dr. L. A. Edmundson of Bethel, Tenn., testified he arrived shortly after Townsend. He said he found a gash on the dead woman's head, bruises about the neck, knife slashes on one hand, and abrasions about the pelvic region.

9591

NEGRO CONVICTED

Death Sentence Given In Rape-Slaying Case

ATHENS, Ala. (AP) — An all-white jury Friday sentenced Joe Henry Johnson, 17-year-old Negro, to die in the electric chair for the rape-slaying of a 62-year-old white spinster.

The jury deliberated one hour and 35 minutes.

Johnson pleaded guilty to first-degree murder charges in the knife and bludgeon slaying of Miss Dicie Boyd last November, leaving the jury to decide only whether he should pay with his life or a prison term.

Johnson didn't change expression when the jury foreman read the decision.

His mother, sitting next to him at the defense table, broke into sobs.

There was no audible reaction in the packed courtroom of more than 300 spectators.

Circuit Judge Newton B. Powell set the execution for April 22 and asked Johnson if he had anything to say.

Johnson's lips quivered but no sound came.

His attorney said, "the defendant said, 'no sir.'"

The jury got the case after hearing pleas for mercy from the defense and a demand for the death penalty from the prosecution.

Bruce Sherrill, the young Negro's attorney, told the jury that Johnson acted without reason, more like an animal, when he raped, slashed and bludgeoned Miss Boyd.

"I submit to you at the time he had no mind and no reason," Sherrill said. "He was in another world, so to speak."

Circuit Solicitor James Woodroof called the crime "the most brutal, most barbaric . . . ever committed in Limestone County."

FOUND IN BARN

Miss Boyd's body, battered and nearly nude, was found in a barn on a farm she operated with her mother outside this north Alabama town.

Johnson, who had done odd jobs on the farm, was arrested one day later at his house a few miles away.

R. W. Godwin, a state investigator, testified Johnson told police he turned on Miss Johnson when she caught him abusing a cow in the barn, picked up a heavy wooden door latch, slammed her in the head with it, and slashed her with a knife.

Johnson's mother, Mrs. Andize Johnson, 37, of nearby Pulaski, Tenn., was the only defense witness. She testified her son was injured in a farm accident last March and since had suffered blackouts.

Lawyers Stage "Last Ditch Fight" To Save Charles C. Hamilton

Lawyers representing Charles C. Hamilton, whose death sentence has been upheld by the United States Supreme Court, said over the week end that they will wage a last ditch fight to save him from the electric chair.

At its final sitting for the current term, the United States Supreme Court turned down a request for a review of the Hamilton case. The doomed man is accused of "burglary with intent to ravish an Ensley white woman Oct. 12, 1956.

Atty. Orzell Billingsley, Jr., one of the several attorneys representing Hamilton said one of the legal moves planned was a writ of error coram nobis. Mr. Billingsley was not representing Hamilton at the original trial where court-appointed lawyers served at counsel for Hamilton.

Mr. Billingsley indicated that federal questions were not raised at the circuit court trial.

It was also hinted that a second clemency hearing before Gov. Patterson would be requested.

By Supreme Court—

Death sentences overruled for two

MONTGOMERY, Ala., July 15—(AP)—The Alabama Supreme Court yesterday overruled death sentences given a 24-year-old Negro for raping a white woman and a Dallas, Tex., man convicted of killing a sheriff.

In each instance the convictions were reversed on technical grounds and sent back to lower courts.

Winning their appeals were Cecil Lewis Tiner, 27, the Texan, and Drewey Aaron of Burkville.

AARON WAS sentenced to be executed on a charge of raping a 31-year-old Montgomery mother. She said she was attacked as her small child lay in its bed screaming.

Tiner drew the death penalty in the slaying of Geneva County Sheriff J. Cuthbert Woodham Aug. 5, 1957 near Geneva. Woodham was shot as he was searching Tiner's car which he had stopped after being notified that a safe containing narcotics had been stolen from the Hartford, Ala., hospital about 10 miles away.

Tiner's sentence was reversed because the trial judge allowed the state to withdraw part of a statement which one of the officers transcribed from an oral statement he said Tiner made admitting the crime.

ALTHOUGH Tiner later read the statement, the officers testified, and said it was accurate, he didn't sign it. A notation to that effect was written on the bottom of the statement which was offered in evidence by the state.

Later the circuit solicitor asked permission to withdraw the notion about Tiner refusing to sign the statement, and the court permitted it.

The lower court also was in error, the Supreme Court said, for refusing a defense move to have the deleted portion of the statement reintroduced as evidence.

REVERSAL OF Aaron's conviction was ordered because of testimony of a warden who was in charge of bloodhounds used to track the attacker.

The warden was asked to explain why the dogs stopped tracking when they came to an open spot.

'Well, the man got off the ground there, he rode off or something," he answered.

AARON WAS arrested driving off in an auto from the area where the dogs stopped.

The warden's statement was not proper testimony, the Supreme Court said, since it amounted to a conclusion of the witness.

"Witnesses are not allowed to reason to a jury," the court said, 'even though they may be experts in their field."

Fast Dragnet, Investigation Led To Conviction For Rape

A speedy dragnet thrown up by law enforcement officers and a thorough criminal investigation spelled a death sentence for a young Negro truck driver in the rape of a Montgomery white woman in the summer of 1959.

Drewey Aaron, 23, from Burkville, was sentenced to death in the electric chair after a trial by an all-white male jury which heard the state present a case heavily laden with expert testimony given by a state toxicologist and a psychiatrist. A signed confession from the Negro was never introduced as evidence.

RAPE SCENE

On June 27 city police and sheriff's deputies were summoned to the scene of the rape by the victim. She had worked her bonds loose and crawled to a telephone shortly after being molested and raped.

Aaron said in a signed statement that he slipped into the house while the woman was watering the lawn, hid in the closet and attacked her when she opened it. He said he struggled with his victim in the closet and dragged her out onto the floor of the bedroom tied the woman's hands and feet and raped her. The woman's small baby was in the room.

Before leaving he pulled the telephone from the wall in the bedroom where he raped her but overlooked another telephone in the kitchen, which she used to summon help.

Members of the sheriff's department used bloodhounds from Kilby Prison to track the Negro through a wooded section behind the house. Two other deputies captured Aaron when he tried to drive away in a car which he had left parked on a dirt road in the woods.

Deputies Greer Lifford and Roy Sterns testified that they had gone in their car to the area where the dogs were headed. As they neared the area they saw an automobile back out and rush away, they said. When they overtook the car Aaron was driving. They said that the Negro was "wet with sweat."

City police worked with members of the sheriff's department in gathering evidence at the scene. Vann V. Pruitt Jr. state toxicologist examined the suspect and his clothing.

Pruitt testified that he found Aaron's clothes to be damp with sweat and his hands were scratched. There were lacerations on his right ankle similar to those which might be made by fingernails, Pruitt said.

The toxicologist also said that pieces of plaster and cardboard taken from the Negro's clothing compared with the plaster and cardboard found in the closet.

DECIDING FACTOR

The evidence presented by Prutt and the law officers was probably a deciding factor in the case, since the Negro's confession was never introduced.

Dr. Phillip Bazar, local psychiatrist, testified that he had examined Aaron and found him sane Several friends and relatives of the defendent had previously testified that Aaron was insane.

A Negro woman swore that she had seen Aaron at a local cafe. However, she was unable to describe what Aaron wore at that time when she was cross-examined by the prosecution.

The victim gave a detailed account of the attack and testified that the Negro raped her once. She identified Aaron as her attacker. The woman was unable to positively identify the Negro in a lineup at her house following the attack.

Aaron's case is waiting a decision from the Alabama Supreme Court. The court received the case in early December on an appeal.

Youth Sentenced In Rape-Slaying

ATHENS, Ala., Jan. 23 (AP)—Joe Henry Johnson, 17-year-old Negro, has been sentenced to die in the state's electric chair April 2 for the rape-slaying of a 62-year-old white woman.

Johnson pleaded guilty to the first-degree murder charges in the knife and bludgeon slaying of Miss Dicie Boyd last November.

A circuit court jury deliberated one hour and 35 minutes before convicting him and fixing the death penalty, which automatically will be reviewed by the Alabama Supreme Court.

Negro Is Denied Rape Case Appeal

MONTGOMERY, June 2 (AP)—A 25-year-old Prichard Negro under death sentence for the rape of a young white divorcee at Mobile lost his appeal today to the Alabama Supreme Court.

The date of execution for Willie Seals, Jr. was set for Friday, Aug. 26.

Charges were brought against Seals and another Negro, Arthur Lott, 22, of Mobile, after they were picked from a lineup by the victim, an attractive, 24-year-old Chickasaw woman, as the ones who assaulted her.

They were accused of beating and raping the white woman after pulling her from a telephone booth about midnight, June 15, 1958, in a Negro residential section.

The victim said she had gone to the booth to telephone for a wrecker after her car skidded into a ditch.

She said the Negroes dragged her to a shack behind a Negro church about 175 yards away and ripped off her clothes before raping her.

Lott was tried and convicted on a charge of rape in February 1959 and didn't appeal his life sentence. Testimony at the Seals trial indicated that he was the aggressor.

Sentences Of Death, Life Meted Two In Rape Case

GASTONIA, N.C. (AP)—A 29-year-old Gaston County man was sentenced to death and his illiterate nephew to life in prison Saturday for raping a blonde housewife six times on a Sunday in January.

An all-male jury deliberated about an hour and a half before it returned a verdict of guilty without a recommendation for mercy for Robert Lee Case. This made the death sentence automatic and Judge W. Jack Hooks set the execution date for June 24.

The jury recommended mercy for Billy Shedd, 25, described by his mother as being unable to read and write even though he advanced to the seventh grade in school. Judge Hooks passed the mandatory life sentence.

Case's lawyer, Ostelle A. Warren, gave notice of appeal to the State Supreme Court after Judge Hooks denied a motion that the verdict be set aside.

Solicitor Grady Stott had sought the death penalty, saying the crime committed on Mrs. Janette Black was the worst he had ever seen.

Mrs. Black testified that the men came to her home Jan. 3, robbed and bound her husband and two sons and forced her to leave with them. She said she was raped six times and then put out of the car. At one point, she said, they tied her to a tree and beat her.

Rape Indictment Dismissal Asked

MOBILE, May 13 (AP)—A circuit judge today took under advisement a motion to dismiss a rape indictment against a Negro defendant.

Attorneys for 31-year-old Sam Smith of Saraland sougth dismissal of the indictment on grounds the Mobile County system of picking grand jurors discriminates against Negroes.

Testimony was introduced by the state that Negroes frequently serve on juries here.

Circuit Judge Bowen W. Simmons said he would rule Monday. He directed opposing attorneys to be ready to try the case.

Smith was indicted on a charge of raping a young white mother in her home in suburban Georgetown the night of Oct. 16.

Jury Qualified For Rape Trial

MOBILE, May 16 (AP)—An all white jury was chosen today to try a 31-year-old Negro on a rape charge. Selection of the jury followed a refusal by Circuit Judge Bowen W. Simmons to dismiss the indictment against Sam Smith of Saraland.

Picking of the 12 jurors and one alternate was completed late today and court was recessed until tomorrow.

Three Negroes were on the jury panel but were not chosen. One disqualified himself as opposed to capital punishment and the other two were struck by the prosecution.

Negro attorneys for Smith had contended that Mobile County's system of selecting a grand jury discriminated against Negroes. After denial of the motion the defense attorneys then moved for dismissal of the jury venire on similar grounds.

The state presented testimony that Negroes have served on grand juries and consistently are called on petit jury panels.

Smith was indicted on a charge he broke into a home at nearby Georgetown the night of Oct. 16 and raped a young white mother.

Black Stays Death Date

WASHINGTON (AP)—Charles C. Hamilton, scheduled to die in the electric chair in Alabama on Friday, won a stay of execution Wednesday.

Justice Black of the Supreme Court granted the stay, specifying that counsel for Hamilton must file a proposed appeal with the court by May 20.

If the appeal is filed, the stay will remain in effect until final action on the case by the Supreme Court.

Hamilton, a Negro, was convicted of first-degree burglary with intent to rape. He was charged with breaking into the home of Mr. and Mrs. Jacob C. Milko in Ensley outside Birmingham in October 1956. He was caught in the bedroom of Mrs. Milko's grandmother.

Hamilton's counsel said Hamilton did not have effective counsel at his arraignment or at his trial, and that Hamilton was denied due process and equal protection of laws because of prejudicial remarks by the trial judge.

Negro Rapist Loses Appeal To Alabama Supreme Court

A 25-year-old Prichard Negro under death sentence for the rape of a young white divorcee at Mobile lost his appeal Thursday to the Alabama Supreme Court.

The date of execution for Willie Seals Jr., was set for Friday, Aug. 26.

Charges were brought against Seals and another Negro, Arthur Lott, 22, of Mobile, after they were picked from a lineup by the victim, an attractive 24-year-old Chickasaw woman, as the ones who assaulted her.

They were accused of beating and raping the white woman after pulling her from a telephone booth about midnight, June 15, 1959, in a Negro residential section.

The victim said she had gone to the booth to telephone for a wrecker after her car skidded into a ditch.

She said the Negroes dragged her to a shack behind a Negro church about 175 yards away and ripped off her clothes before raping her.

Lott was tried and convicted on a charge of rape in February, 1959 and didn't appeal his life sentence. Testimony at the Seals trial indicated that he was the aggressor.

High court asked to save Alabaman

WASHINGTON

The U.S. Supreme Court was asked Thursday to save the life of a young man sentenced to death by an Alamba court for alleged burglary with intent to "ravish."

Charles C. Hamilton, 25, of Ensley, Ala., was arrested on the night of Oct. 12, 1956, and originally charged with "nighttime burglary with intent to steal" for allegedly entering the bedroom of an elderly white woman. He denied the charge and insisted he was led into the house by the woman who spoke only semi-distinctly with a broken accent.

HAMILTON WAS represented at his trial on April 23, 1957, by a court-appointed white lawyer who tried to withdraw from the case at the trial but was prohibited from doing so by the judge.

After a brief trial Hamilton was convicted on charges of burglary wih intent to "ravish." The Supreme Court of Alabama on Sept. 17, 1959, affirmed the judgment and sentence of the lower court.

* * *

EXECUTION OF the sentence was stayed by order of U.S. Supreme Court Justic Hugo L. Black on April 20 pending an appeal by May 20.

Attorneys for the NAACP assert that Hamilton had no attorney when arraigned, and that in death penalty cases, defendants are entitled to legal representation at every stage of the proceedings.

SUPREME COURT ASKED TO SAVE LIFE OF ALABAMAN

WASHINGTON, D.C. — The U. S. Supreme Court was asked Friday to save the life of a young Negro sentenced to death by an Alabama court for alleged burglary with intent to "ravish."

The condemned man, Charles Charles Hamilton, 25, of Ensley, Ala., was arrested on the night of October 12, 1956 and originally charged with "nighttime burglary with intent to steal" for allegedly entering the bedroom of an elderly white woman. He denied the charge and insisted he was led into the house by the woman who spoke only semi-distinctly with a broken accent.

Hamilton was represented at his trial on April 23, 1957 by a court-appointed white lawyer w ho tried to withdraw from the case at the trial but was prohibited from doing so by the judge. After a brief trial Hamilton was convicted on charges of burglary with intent to "ravish." The Supreme Court of Alabama, on September 17, 1959, affirmed the judgement and sentence of the lower court.

EXECUTION STAYED

Execution of the sentence was stayed by order of U. S. Supreme Court Justice Hugo L. Black on April 20, 1960 "pending disposition of a petition for certiorari to this Court (U. S. Supreme Court) upon condition that the petition for certiorari be filed here by May 20, 1960."

On May 5 the Governor of Alabama issued an Executive Order providing that "reprieve be and is hereby granted until Friday, May 20th, at which time, unless other wise ordered, let the sentence of death be executed."

In an effort to head off the execution, attorneys for the NAACP Legal Defense and Educational Fund today filed a petition with the U. S. Supreme Court asserting that Hamilton had no attorney when he was arraigned and that in death penalty cases defendants are entitled to legal representation at every stage of the proceedings.

The attorneys for Hamilton also charge that the trial was highly unfair in that the judge invited Hamilton to act as his own lawyer in conjunction with the court-appointed attorney. As a result of this, Hamilton repeatedly and seriously embarrassed himself and the judge reprimanded him several times in open court.

In the petition filed with the U. S. Supreme Court the attorneys asked that the high court give the case full review.

Attorneys for the NAACP Legal Defense Fund representing Hamilton are Thurgood Marshall, Jack Greenberg, Derrick A. Bell and James M. Nabrit, III all of New York City, and Orzell Billingsley, Jr., Peter A. Hall, Arthur D. Shores and Oscar W. Adams, Jr., all of Birmingham.

27e(2) 1960 ARIZONA

9593

Judge denies execution stay for Chessman

TUCSON, Ariz., Feb. 8 (UPI) — Convicted rapist Caryl Chessman today was denied a stay of execution, scheduled Feb. 19 in the San Quentin Prison gas chamber.

Judge Richard Chambers, chief justice of the U. S. Ninth Circuit Court of Appeals, also refused to issue a certificate of probable cause for appeal.

This would have granted Chessman a hearing before the full court of appeals in an effort to reverse U. S. District Judge Louis E. Goodman's refusal to grant a writ of habeas corpus.

Chessman now is expected to appeal again to the U. S. Supreme Court, which has considered the case 13 times.

SHOULD THIS effort fail, an appeal for clemency probably will be made to California Gov. Edmund G. Brown.

Chessman was sentenced to death in 1948 on charges of kidnaping, robbery and perverted sexual assaults against two young women.

He has been in death row for nearly 12 years and has escaped seven earlier execution dates through various legal moves.

9594

Chessman plea loses again in high court

WASHINGTON, Jan. 11 (AP) — The Supreme Court today again denied a hearing to Caryl Chessman, Los Angeles sex bandit who is scheduled to be executed Feb. 19.

The high tribunal refused to reconsider its action of Dec. 14 when it rejected a lengthy appeal filed in his behalf.

Chief Justice Warren, former governor of California, has taken no part in consideration of various legal moves made for Chessman in the Supreme Court.

The court's order today merely said:

"The petition for rehearing is denied. The chief justice took no part in the consideration or decision of this application."

CONVICTED IN 1948, Chessman has evaded the executioner through a series of appeals and petitions in federal and state courts.

In his 11½ years in San Quentin Prison's death row he wrote several books, two of which became best sellers.

Now 38, Chessman was convicted of 17 felonies. Two of these were kidnapings for robbery with bodily injury and sexual outrages on women victims. The latter crimes are punishable by death under a California kidnap law.

Seven days after the Dec. 14 Supreme Court denial, Superior Judge Herbert V. Walker in Los Angeles sentenced Chessman to die in February. It was the eighth time Chessman had been sentenced to California's gas chamber. Last October, Gov. Edmund G. Brown of California denied him clemency.

PRINCIPALS IN CHESSMAN STORY — Mrs. Ruth Meza (left) is the mother of one of the convicted rapist's victims Mary Alice Meza (second from left). Mrs. Meza has repeatedly asked that the death sentence be carried out. The daughter, 17 years old at the time of the crime, has been in a state mental hospital much of the time since 1949. Judge Charles W. Fricke (right) pronounced the original death sentence and described Chessman's crime as "worse than death." — Daily News AP Wirephoto.

Rapist's Life Hangs On Vote Of Judge

Chessman May Die Friday Unless 4-3 Vote Is Changed

SAN FRANCISCO (AP) — Condemned Caryl Chessman's last thread of hope, stretched perilously thin after nearly 12 years of tenacious legal battling, suspends today from an effort to switch one vote.

That is the vote of at least one member of the California Supreme Court majority. Wednesday the court—after a series of rapid-fire developments — decided 4-3 against recommending clemency for the death row convict-author.

Chessman is slated to die in the green-painted gas chamber at San Quentin at 10 a.m. Friday. He was convicted in 1948 of kidnaping with bodily harm, robbery and sexual abuse in Los Angeles.

California Gov. Edmund G. Brown, at sundown Wednesday, refused to grant clemency unless the Supreme Court recommends it. The law puts this resrtction on granting mercy to men convicted previously of felony. Brown said any further action on his part depended on what happened in Chessman's move today for reconsideration of the 4-3 vote.

The convict's attorney, George T. Davis, said his petition for reconsideration would be accompanied by a request for a hearing on a complete brief supporting the action.

Davis said Wednesday night, after the U.S. Supreme Court, the California Supreme Court and the governor acted or commented on the case, that he didn't have a chance to be heard on the 11th hour clemency appeal.

REPRIEVE POSSIBLE

In Sacramento, Governor Brown issued a statement saying he was constitutionally bound to abide by the court's recommendation regarding clemency. As to a reprieve—or postponement—of Friday's execution, Brown said he would not anticipate the court's decision on the motion for reconsideration.

Thus, 24 hours before the crucial time, Chessman's fate still was in doubt.

At a San Quentin news conference Wednesday the 38-year-old, hawk-faced Chessman expressed belief his 12-year court struggle "is all over."

Governor Brown is an outspoken opponent of capital punishment. But on previous appeals in Chessman's behalf, he noted that the evidence of guilt was "overwhelming" and also that Chessman never had indicated remorse.

MAINTAINS INNOCENCE

Chessman steadfastly has insisted on his innocence, and he did so again. He said that's why he never has asked for clemency, but for a full pardon. He messaged Brown "to do whatever your conscience dictates."

Chessman's last hope was that Davis might persuade at least one member of the California Supreme Court to switch his vote in favor of clemency.

Governor Brown remained in his office at Sacramento to await developments instead of attending the opening ceremonies of the Olympics Winter Games at Squaw Valley, as he had planned.

28 days, 17 crimes—

Chessman's life of crime, kidnaping, perversion, theft

SAN QUENTIN, Calif., April 25 (AP)—Caryl Chessman, under sentence to die next Monday, was convicted of committing 17 crimes in 28 days.

The period was from Jan. 3, 1948—26 days after his fourth parole from prison—to Jan. 23, 1948, his last day of freedom.

Only during the last five days did the bandit use a red spotlight which marked him as the "red light bandit."

TWO OF THE offenses for which he was sentenced were considered especially revolting.

The time was 8:30 p.m. on Jan. 19, Jarnigan Lea, 34, a widower, and Mrs. Regina E. Johnson, a polio victim out of the hospital a week, were parked in the Flintridge Hills looking at the view. Lea was an old friend of the Johnsons.

A red spotlight flashed on, a man walked up—and shoved a .45 in the open window. He ordered the young housewife out "or you'll both go home in a casket."

"She's got polio," Lea appealed. "She can't walk. For God's sake, can't you let her alone?"

THE BANDIT GRABBED her arm and forced the weeping woman to his own car—the same stolen car used in all the red light robberies. He took Lea's keys and threatened to kill them both.

Lea heard a scream, a slap, repeated commands, low masculine laughter, sobs. Mrs. Johnson was freed when a third car came in sight. She was near shock from perversions the bandit forced on her.

Both she and Lea identified Chessman as the gunman.

Three hours later the red light bandit took $2 from a young man and his girl but did not bother the girl.

Then about 1 a.m. Jan. 22 he forced strictly raised Mary Alice Meza, 17, from Frank Hurlburt's car parked on a hill overlooking the San Fernando Valley. They had been to a parish dance.

The bandit told Miss Meza he would kill Hurlburt unless she accompanied him. Forcing her escort's car into the ditch, he drove five miles away. For three hours he tormented her.

Miss Meza testified she cried and begged for mercy.

"Why do you do this to me?" she pleaded. "I never did anything to you."

"What did he say?" the prosecutor asked.

"He just sat there and waited until I was finished."

He compelled her to engage in a series of degrading acts of perversion, first in the front seat, then in the back, she said. She entered a mental hospital within a year and is still there.

All but one victim of the 17 crimes positively identified Chessman as the gunman. Hurlburt said he did not get a sufficient look at the man's face to identify anyone.

The death sentences — recommended by the jury — were on conviction of kidnaping for the purpose of robbery, with bodily injury to the victim — two counts, involving Miss Meza and Mrs. Johnson.

Chessman was arrested Jan. 23, 1948 driving a car stolen Jan. 13. All told the 17 counts included eight counts of robbery, four of kidnaping, two morals charges, one count of attempted robbery, one count of attempted rape and one auto theft charge.

EARLIER ENTRIES on Chessman's criminal record:

1937—At 16, convicted of three car thefts, burglarizing a service station; escaped from juvenile hall, next day burglarized a drug store. Committed to forestry camp, escaped, sent to Preston School of Industry. (Pre-1937 juvenile records have been destroyed.)

1938—Paroled from Preston; arrested with stolen car after tried to force open a drugstore door, admitted using stolen credit card to buy gasoline and other items. Sent back to Preston.

1939—Paroled from Preston.

1941—As one of "boy bandit ring" involved in at least 30 robberies, sluggings of gas station attendants and shooting scapes with police, plus at least eight car thefts; sentenced to three five-to-life prison terms and one 1-to-10 year term—all consecutive—plus a five-to-life to run concurrently: a total of 16 years to life imprisonment.

1943 — Transferred from San Quentin to honor farm at Chino, escaped and recaptured several weeks later after more armed robberies.

Dec. 8, 1947—Paroled from San Quentin.

9595

Four White Washington Policemen To Go On Trial For Raping Negro Woman

Washington (ANP) — Four white policemen charged with raping a Negro woman domiciled in two police squad cars February 28 were indicted by a District grand jury last week which also sprung a surprise by indicting the male companion of the woman.

The addition of William H. Smith, to the indictment came as a surprise to the Government, which sought indictments only against the policemen.

United States Attorney Oliver Gasch said he would not have permitted Smith to testify voluntarily before the panel if he had thought Smith would be charged.

Smith told police he was escorting the woman from a party at about 3 a.m. and parked his car at 24th St. and Benning Rd.

He said she had submitted to him voluntarily when two policemen rode up in a scout car and ordered him to leave.

Raped By 4 Policemen

The woman said she was raped by the two policemen, then by another pair who arrived on the scene later.

The policemen are Bobbie B. Campbell, 30; Owen W. Cunningham, 30; Graham B. Pennington, 23, and Raymond F. Vernon, 30. They are at liberty on $1000 bond each.

Smith, a General Services Administration laborer, was arrested when he reported to work at the Agriculture Department.

The four policemen, all of whom have been suspended from duty, also were charged in the indictment with sodomy. They have denied the charges.

Woman Witness Says She Feared Policemen

A 31-year-old woman has testified that she submitted to sexual attacks by four Washington policemen because she feared their uniforms and weapons.

The woman told a District Court jury yesterday that the officers abandoned her late at night on last February behind a Northeast school after the attack.

The four policemen, on trial on charges of rape and sodomy, are Pvts. Bobbie R. Campbell, 30; Owen W. Cunningham, 30; Graham B. Pennington, 24, and Raymond F. Vernon, jr., 30.

All have been suspended from duty at the ninth precinct.

The officers appeared in court yesterday in civilian attire. They are white and the woman is colored.

The trial got underway after a jury was selected in the morning session. The Government challenged 16 persons and the defense 13 before a panel was sworn in. The 12 jurors include six women and six men, two of them Negroes.

The women testified that two of the officers found her in a car near the school with William H. Smith, 27, of the 4700 block of Alabama avenue S.E. on the night of February 28. She said Smith was attempting to have relations with her against her will when the officers told him to leave and ordered her into the police car.

Tells of Fear

Both men partially disrobed, forced her to commit acts of perversion and raped her, she testified. Later, she said, two other officers arrived in another police car and forced her to submit to them.

She identified the first two policemen as Cunningham and Campbell.

Assistant United States Attorney Arthur J. McLaughlin asked why she made no outcry and offered no resistance.

"I was afraid of bodily harm. I knew they had guns," she said.

The woman testified she later identified three of the four officers at police lineup at the precinct station.

The trial is expected to continue at least until Friday. Judge George L. Hart, jr., is presiding.

Smith also has been indicted but is not being tried with the policemen.

Free Four White Policemen Accused of Vicious Assault And Rape of Negro Woman

Federal Judge Says Evidence Is Not Sufficient For Trial to Go to Jury

Assaulted By 4 Different Officers

By ALICE A. DUNNIGAN

WASHINGTON.—(ANP) — Federal Judge George L. Hart jr. was widely criticized here last week after he dismissed four white policemen accused of assaulting and raping a Negro woman and forcing her to commit unnatural sex acts.

The ruling was made without the defendants ever taking the stand, and the case never reached the jury.

The judge's ruling was based on the contention that the government did not offer sufficient proof that an act of sodomy had been committed by the policemen.

The rape charge was dismissed because there was no proof that the woman was forced into the act, ruled the judge.

He labeled the point that she twice disrobed without making any outcry or offer resistance. He did not agree that she submitted under fear.

"Fear, according to law, must be based on something of 'substance,'" said the judge. "It must not be 'fanciful.'"

The woman "submitted," he said, because she had been promised that she would not be locked up if she did what they asked. This might be considered a "bribe" said the judge, but not "rape."

Disgraceful Verdict Shocks Courtroom

The dismissal came as a shock to the hundreds of spectators who crowded the courtroom for four days, and noted that all fingers of guilt pointed toward the policemen.

The jury heard three days of corroborating testimony coming from scores of witnesses ranging all the way from the complainant herself to top ranking officers of the police department and the Federal Bureau of Investigation before the judge made his startling ruling.

Victim Gives Detailed Story

The complainant told the court a detailed story of how she was raped in the early morning of February 28 in a school area in Northeast Washington.

According to her story she had been visiting a friend in the far Northeast on February 27. They had enjoyed some drinks and she had become ill. The friend's brother-in-law, William Harvey Smith ,offered to carry her home.

En route, she said, Smith began making love to her. Finally he parked the car and tore off her undergarments and proceeded to have sex relations.

He never completed the act, she testified, because a policeman came up and shined a light in the car and she yelled "rape."

Police warned Smith that rape was a serious business but they let him go after taking from him $2 for what they said was to pay her cab fare.

When Smith left, the officers took her into the scout car and promised not to "take her in" if she would have a relationship with them.

Forced to Commit Sodomy

Fearing that she might suffer bodily harm if she refused, the woman said she did what they requested. Each forced her to have an unnatural relationship with them before demanding her to undress and having further relations on the back seat of the car.

When they had completed the the act they radioed for another scout car. They told her to lie down in the back seat of their car and rode around for a period of about 20 minutes before they returned to the original site to meet the second car. She was then ordered to get into the second car.

The two policemen in the second car went through the same procedure as the first. She was then put out and ordered to stay there until some more of their buddies arrived.

Left alone crying and hysterical, she ran into the street when she saw the lights of an approaching automobile. She begged the driver to give her a life to some place where she could get a taxi or a bus.

9595

Smith To Be Tried June 20

Smith's case which was originally scheduled to be tried in connection with that of the police officers, was severed upon request of his attorney, Thurmond Dodd-the latest NAACP. If the answer was "yes", they were struck.

The jury was composed of six women and six men, including one Negro man and one Negro woman.

The officers charged with the crime are Bobbie B. Campbell, 30; Graham B. Pennington, 24; Owen W. Cunningham, 30; and Raymond F. Vernon, 30.

Paul Weinstein, Glenn Wood and defense counsels, Kenneth Wood and Cros-

A new precedent was set in the District Court when Negro pros-

Freed of Rape, 2 Police Quit Force

Two of four policemen acquitted of criminal rape charges resigned yesterday in the face of pending trial board action.

Ninth Precinct Pvts. Graham B. Pennington, 24, and Raymond F. Vernon Jr., 30, submitted their resignations, which must be considered by Police Chief Robert V. Murray and proved by the District Commissioners.

Still facing administrative charges of improper police conduct are Pvts. Bobbie Campbell, 30, and Owen W. Cunningham, 30.

The four policemen were acquitted or rape and sodomy in District Court Thursday when Judge George L. Hart Jr. ruled there was insufficent evidence against them. The judge emphasized that he was not passing upon "the fitness of these men to be on the police force."

A 31-year-old domestic accused the officers and William H. Smith, 27, her escort, of attacking her early Feb. 28 on a dark street in Northeast Washington. Chief Judge David A. Pine dismissed the rape charge against Smith yesterday at the Government's request.

Assistant United States Attorney Arthur J. McLaughlin said the woman's testimony at the police trial showed no physical force, weapon or threats were used by Smith while he and the woman were in his parked car. Smith, of 4731 Alabama ave. se., was represented by attorney Thurman L. Dodson.

The Government had not sought an indictment against Smith, who testified as a Government witness, but a grand jury decided that he should stand trial along with the policemen.

The woman identified Campbell as one of her attackers and Vernon and Pennington as "resembling" two others. A fingerprint identified as Cunningham's was found on Smith's auto registration.

Judge Hart held that the prosecution had not offered "the strict quantum of proof" required by the United States Court of Appeals in criminal cases involving sex complaints. Criminal rules are not used in less formal Police Trial Board hearings.

Rape-Slaying Suspect Takes Lesser Charge

By John P. MacKenzie
Staff Reporter

John E. Williams, 30, pleaded guilty to second-degree murder yesterday in the rape-slaying of 6-year-old Nancy Reid, thus avoiding the risk of going to the electric chair.

In agreeing not to oppose the plea, the Government also avoided some risks. Assistant United States Attorney Victor A. Caputy said the evidence was trong but circumstanial and that the District's mandatory death penalty might have helped the defense at the trial.

Williams, an unemployed truck driver with no fixed address, was accused of luring the Reid girl and a 3-year-old companion into an abandoned house at 632 Callan st. ne. on Feb. 7, raping and strangling the Reid girl and sexually molesting the 3-year-old.

Other Counts Listed

Other counts in an eight-count indictment charged rape, murder while committing rape, and housebreaking, robbery with intent to rape a 45-year-old Northeast woman on Feb. 6.

Caputy said the prosecumissal of one murder charge, one housebreaking charge, and the rape and molesting charges when the sentence is imposed by District Cour Judge Henry A. Schweinhaut.

Before accepting the plea, Judge Schweinhaut warned Williams that he still could receive a maximum sentence of life imprisonment with no parole possible for at least 15 years. Williams said he wanted to plead guilty to the lesser offense.

Caputy said the prosecution would have had trouble qualifying the three-year-old—the only witness to the assaults—to testify at Williams' trial. He said the mental condition of Williams, who was found sane and mentally competent by St. Elizabeths Hospital, was not an obstacle to prosecution.

Caputy added that Williams admitted the assault as soon as he was arrested and his statements probably would have been admissible as evidence against him. When identified by the three-year-old Williams said, "that's all right little girl, you are right, I am the man. You just tell the truth. No one is going to hurt you.

Juries Called Reluctant

The prosecution also was handicapped by the District's mandatory death penalty in first-degree murder cases, Caputy said. His boss, United State Attorney Oliver Gasch, has complained that some juries are reluctant to convict a defendant when they know that death is the required punishment.

A bill to make the death penalty optional for first-degree murder convictions passed the House but died in the Senate in August. Williams was represented by attorneys Denis K. Lane and Robert I. Miller.

Acquits White Man of Girl's Rape Charge

MANNING, S. C. — Amos Franklin Baker, a 28-year-old Sumter County white man, was acquitted on charges of raping a 14-year-old colored girl in General Session Court.

The girl, supported by wit-

nesses, testified that Baker had spent most of June 17 in the Summerton area of Clarendon County trying to find a baby-sitter. The girl testified that with her mother's permission she accepted the offer of pay for which was to be $2.

Baker, she said, drove her into a wooded area, assaulted her and then brought her back near town and ordered her out of the car. She wrote the license number of the car on the ground and led officers to the scene. Baker was arrested later at his home, officers tracing him through the license plate number written on the ground.

—FIFTY YEARS OF PROGRESS—

27e(2) 1960 D.C.

9596

Man Acquitted Of Rape Charge

Leroy Jackson, 28, listed at 821 13th st. ne., was acquitted by a District Court jury yesterday of a charge of raping a 28-year-old woman on Jan. 3, 1959.

Det. Lawrence Wallace of the 12th Precinct testified that he arrested Jackson in a vacant house at 1426 Ames pl. ne. before the woman said Jackson dragged her shortly before midnight.

Jackson denied being in the house or making the attack. Under cross-examination by defense attorney Curtis P. Mitchell, the woman said she could not identify Jackson as her assailant.

Clemency Is Denied To Rapist

TALLAHASSEE, Jan. 12 (AP)—The State Pardon Board today refused to grant clemency to a St. Petersburg Negro sentenced to the electric chair for the rape of a 17-year-old white girl.

Gov. LeRoy Collins will sign a death warrant later ordering Ralph Williams, 21, executed at State Prison.

The clemency hearing was held Dec. 16, but a decision was held up pending investigating of Williams' contention that he had been with the girl on occasions prior to the attack. The girl denied the claim and the jury accepted her story.

The attorney general's office said there was ample testimony "to justify the jury in finding that he never met the girl at all until the night of Dec. 18, 1957, when he raped her."

Sheriff Don Genung of Pinellas County also wrote the Pardon Board that his investigation proved Williams could not have been with the girl on prior dates as he claimed.

Threatening Letters

Genung also said the girl was receiving threatening letters from Williams' friends.

At the clemency hearing, Williams' attorney argued that a double standard of justice is applied to white and Negro rapists. He pointed out that Florida has executed many Negroes for rape but no white man has paid with his life for the same crime.

In refusing to commute Williams' death penalty to life imprisonment, the Pardon Board made no mention of the argument that a double standard of justice exists. But at the hearing in December, Gov. LeRoy Collins said that "the rule, if it is a rule, has been applied throughout the nation. It is not peculiar to Florida or to the South."

Florida Father To Die for Rape

WEST PALM BEACH, Fla., July 16 (AP)—A 20-year-old Negro who maintained he was mistaken for another man will be sentenced to death for the Feb. 26 rape of a 13-year-old white girl.

An all-white jury found Herman Jackson Jr. guilty of attacking the pretty blonde teen-ager and made no recommendation for mercy. The death sentence will be pronounced later by Circuit Judge James R. Knott.

Jackson, married and father of a 6-month-old child, said someone else raped the girl. His father, who was called upon to identify articles of clothing submitted as evidence, was a principal state witness in the trial.

Walter Lee Irving Says Will Seek A Pardon In Florida

LEESBURG, Fla. — (UPI) —One of the surviving two Negro defendants in the 1949 Groveland rape case, Walter Lee Irving, 30, advertised in a newspaper Thursday he will seek a pardon from his life imprisonment.

Irvin was found guilty with Samuel Shepherd of raping a young white housewife at Groveland in 1949. The case incited mob violence and the homes of three Negroes were burned. The national Guard was called to restore order and Sheriff Willis McCall hid Irvin and Shepherd from the mob in his own home.

The case became a sensation again in 1952 when McCall shot and killed Shepherd and wounded Irvin. He said the two men tried to escape while he was transporting them from Raiford State Prison to Tavares.

Irvin's advertisement said he will ask for a conditional pardon before the first meeting of the State Pardon Board in November. His attorney said Irvin has been offered a job in New York City, and that Irvin never would return to Florida if freed.

The pardon board does not meet again until Dec. 14 and secretary Mrs. Lula Mullikan said no application has been received from Irvin.

Kidnap, Rape Try Term Set At 60 Years

DE FUNIAK SPRINGS, Jan. 15 (AP)—Bennie Ray Hobbs, 32-year old father of four children, today was sentenced to serve 60 years in prison for kidnaping a 16-year-old girl, her younger brother and her boy friend and trying to rape the girl.

Hobbs had pleaded guilty yesterday to charges of kidnaping, false imprisonment, assault with attempt to commit rape and assault with intent to commit sodomy. He claimed insanity.

Circuit Judge Stuart Gillis sentenced the Fort Walton Beach electrician to serve 10 years in prison on the kidnaping charge, 10 years on the false imprisonment count, and 20 years each on the rape and sodomy charges. The judge ruled the sentences must be served consecutively.

Sheriff Curtis Miller said Hobbs had admitted in a signed statement that on Oct. 11 after his boat ran out of gas he went to a house seeking aid. He found only a 11-year-old boy at the house, but shortly thereafter the girl and her date drove up.

Hobbs forced the trio at gunpoint to go to the beach where he tried to rape the girl. He then forced the three into the boat, moved offshore and attempted to make the girl commit an unnatural act, the sheriff said.

Judge Gillis also sentenced Franklin Bell and Dale Redman each to serve 23 years in prison for breaking out of the road camp near Chipley and committing a robbery while at liberty.

Each drew 20 years on the armed robbery charge and three years for escaping prison, the terms to be served consecutively.

9599

State Supreme Court Overrules Death Sentences Of LaGrange 3

Atlanta Daily World Atlanta, Ga.

The Georgia Supreme Court ruled the conviction and death sentences of three Negroes for the alleged rape of a white woman at LaGrange in a published incident last August.

The ruling in effect grants new trials for the defendants, Brannon Epps, 24, and Clifford Johnson, 32, both of LaGrange, and George Alford Jr., 18, of Dayton, Ohio.

The Supreme Court held Judge Samuel J. Boykin erred in charging the jury on how it should consider conflicting evidence that the victim was a "lewd woman" as claimed by the defense lawyers.

Two state witnesses gave enough evidence under cross examination to justify a jury finding that she was "lewd," the Supreme Court said. Judge Boykin in effect charged the jurors to consider only the testimony of the woman herself.

Judge Boykin originally had sentenced the men to die in the electric chair at Reidsville last Oct. 2 but appeals delayed execution.

The Negroes were accused of taking the woman from two white male companions despite the efforts of several Negroes to intervene and attacking her during a ride through outlying streets of LaGrange.

Stay Saves Man From Execution

Pittsburgh Courier Pittsburgh, Pa.

REIDSVILLE, Ga.—Less than two hours away from the electric chair, Nathaniel Johnson, 25, of Augusta, Ga., was saved from death—for awhile anyway—by stay of execution granted by City Court Judge J.L. Carr, last week.

Johnson, a veteran with 90 per cent wounds on his body, was convicted of raping a white nurse in Augusta last year.

The incident bore overtones that were never fully revealed in the trial.

A writ of habeas corpus at 8:30 A.M. kept him from the chair at 10 A.M.

Appeals to higher courts and the Georgia Pardons Board have failed. A further hearing will be held June 2.

Judge Gives Negro Stay in Rape Case

The Atlanta Constitution p. 12

27e(2)

REIDSVILLE (AP)—The electrocution of an Augusta Negro convicted of raping a white nurse's aide was halted Friday by a court order.

Warden R. P. Balkcom Jr. of the Reidsville State Prison reported that Judge R. L. Carr of City Court here advised him that he had signed the order on a writ of habeas corpus brought by attorneys for Nathaniel Johnson.

The execution was scheduled for Friday.

Atlanta

Johnson, 25, was convicted at Augusta on March 16 of last year of taking the nurse's aide from a parking lot of the Talmadge Memorial Hospital to a rural spot and raping her.

The Georgia Supreme Court affirmed his death sentence last Oct. 9 and the U.S. Supreme Court on March 21 refused a review. The State Pardon and Parole Board Tuesday turned down an appeal for commutation to life imprisonment.

Carr's order was signed at 8:30 a.m., about two hours before the usual electrocution time at the prison.

It set forth an allegation that Johnson is being illegally detained in violation of constitutional rights and directed the warden to appear before the Judge at 10 a.m. Thursday with the state's answer. The papers were served on Balkcom by the Tattnall County sheriff.

The habeas corpus petition was brought for the Negro by Attorney R. W. Barton of Augusta.

Dat. 5-28-60

An earlier habeas corpus action was directed at Richmond County Sheriff J. T. Plunkett attacking the validity of the Negro's arrest. It failed on an appeal to the State Supreme Court.

Carr said at his home in Glennville that the new action would open the way for further appeals and that if finally electrocuted Johnson will have to be resentenced.

Trial of 3 on Rape Charge Starts Anew in Troup Today

The Atlanta Constitution Atlanta, Ga. 27e(2) 60

LAGRANGE (AP)—Three Negroes charged with raping a white woman are scheduled for retrial Tuesday in Troup County Superior Court here.

Dat. 5/31/60

Brannon Epps, 25, and Clifford Johnson, 22, both of LaGrange, and 18-year-old George Alfred Jr., of Dayton, Ohio, were convicted and sentenced to death last fall following the rape of a woman near here in August.

The trio's court-appointed lawyers, failing to win a new trial, carried the jury decision to the Georgia Supreme Court and won a reversal.

Another Negro will also stand trial for raping and robbing a white woman cafe operator near here in May.

The fourth rape defendant Willie A. Hill, is charged with assaulting a woman at a drive-in cafe on Highway 29, May 16.

should convict the trio if it felt they were guilty.

The case stirred racial feelings in this west Georgia city last August. Two white youths testified they were taking the woman and her younger cousin home when the three Negroes stopped them and took the two women with them forcibly. Three Negro witnesses backed up their story.

9599

Death Terms Meted Trio In Rape Case

The Montgomery Advertiser Montgomery, Ala.

LAGRANGE, Ga. (AP)—Three Negroes were convicted Wednesday and sentenced to death for the rape of a white woman they claimed had submitted willingly.

It was the second time the death penalty had been imposed on George Alford Jr., 18, of Dayton, Ohio; Clifford Johnson, 22, and Brannon Epps, 24, both of LaGrange.

27e(2)

Dat. 6-2-60

Their first conviction was thrown out by the Georgia Supreme Court on grounds that the jury improperly was instructed to disregard testimony about the woman's reputation.

P. 2-A

Superior Court Judge Samuel Boykin set the execution date for July 29.

Court-appointed defense attorneys indicated they would appeal.

Defense attorneys repeated in closing arguments their contention that the three men were innocent and that the woman had willingly accompanied them.

Solicitor General—prosecutor—Wright Lipford told the jury it

Sex-Killer of Girl, 8, Wins Another Delay

The Atlanta Constitution
Atlanta, Ga.

MACON (AP)—A hearing, originally set for Thursday in U.S. District Court, on a habeas corpus petition on which Judge W. A. Bootle stayed the execution of a New Jersey Negro man, has been postponed.

James Fair Jr., 24, of Bayonne, N. J., who had been scheduled to die Sept. 2 for the rape-slaying of an 8-year-old Negro girl at Blakely in May, was saved at least temporarily from the electric chair on an order signed by Judge Bootle when Fair's lawyer filed the habeas corpus petition Aug. 31.

Hartwell attorney Freeman Leverett told Judge Bootle at the conclusion of a hearing on a University of Georgia integration suit Wednesday that he had been appointed by Gov. Vandiver to enter the Fair case on behalf of the state, and he asked additional time for filing a brief.

Page 21

Attorney Donald Hollowell, who represents Fair and also was involved in the integration suit, then asked the Judge to delay the hearing in the Fair case, which first had been set for Thursday and then for Sept. 29. Judge Bootle granted the request and said he would confer with clerk John P. Cowart to arrange another, later date.

Fair was captured on May 15, a few hours after the girl's body was found, and authorities said he confessed raping and killing her.

Execution Delayed

The Pittsburgh Courier
Pittsburgh, Pa.

U.S. Court Playing Fair, Sets Hearing

MACON, Ga.—Federal District Judge W. A. Bootle will hold a hearing on Sept. 29, on a petition for a writ of habeas corpus in the case of Jimmie Fair, 24, Bayonne, N.J., sentenced to die in the chair for the rape-murder last May of an 8-year-old Baxley, Ga., girl.

Sat. 9-10-60

The hearing stayed Fair's execution previously set for Sept. 2, by Circuit Judge Walter L. Geer of Colquitt.

Last week, after Georgia Supreme Court Justice Head telephoned Judge Geer he was issuing a show cause order to Geer, the state high court met and voted to deny the request made by Fair's lawyers, D. L. Hollowell of Atlanta, and C. B. King of Albany.

They then took the matter to the Federal court and Judge Bootle agreed to hold a hearing, thus staying the execution. Some surprises are expected at the hearing before the Federal judge on Sept. 29.

Gov. Feels Lynch Fear Guided Case

The Atlanta Daily World, Atlanta, Ga.
Fri. 6/10/60

Gov. Ernest Vandiver said Thurs- a New Jersey Negro sentenced to death for the rape - slaying of a nine-year-old Negro girl may have feared lynching by other Negroes when he confessed to the crime.

James Fair, Jr., of Bayonne, N. J., surrendered and confessed to raping and killing the child last month. Vandiver said it was feared at the time that other Negroes in the community were about to take the law into their own hands.

The governor invesigated Fair's conviction and death sentence, which was handed down three days after the alleged assault took place, at the request of Rep. Cornelius Gallagher D. N. J. The New Jersey congressman reported that Fair's relatives said he confessed under fear for his life.

Vandiver said the fear actually involved was fear of reprisal by other Negroes, not fear of any action by law enforcement officials.

"The Negroes were so upset that there was some danger," Vandiver said Thursday.

He added that Gallagher, with whom he talked earlier in the week, personally misunderstood the case when he protested the 24-year-old Fair's conviction. Vandiver said any understanding of the circumstances surrounding the case had been cleared up during the congressman's visit to Georgia.

It was reported that a number of persons who attended protest meetings in New Jersey believed that the victim was a white child instead of a Negro.

"I don't think the congressman was fully apprised of the facts," Vandiver said.

"I told him if the Pardons and Paroles Board after investigation disposed to recommend that a stay of execution be granted, I will grant it."

A board spokesman said no petition for a hearing had yet been received, but that it was understood attorneys were preparing one.

Fair was arrested on teh outskirts of Blakely May 15. Two days later, Judge Walter Geer sentenced him to death. Fair declined counsel, pleaded guilty and declined a trial.

Gallagher said in Washington Wednesday that Vandiver has been "eminently fair" but that the pub-

Rape Killer Loses Plea For Retrial

The Atlanta Constitution
Atlanta, Ga.

Constitution State News Service

DAWSON—Pataula Circuit Judge Walter I. Geer Tuesday handed down a 21-page court decision denying a new trial for James Fair Jr., 24, Negro, sentenced to the electric chair for the rape-slaying of an 8-year-old Negro girl in Early County.

Judge Geer concluded in his order there was "no legal reason nor sociological or psychological reason why a new trial should be granted."

Wed. 6-15-60

Fair, who lived in Bayonne, N.J., until recently, has been sentenced to die Friday. The case has drawn widespread attention.

A New Jersey congressman, Rep. Cornelius Gallagher, asked Gov. Vandiver to investigate the case, saying that relatives said Fair confessed to the slaying under duress.

P. 10

Meanwhile, an Albany attorney, C. B. King, Monday asked the State Board of Pardons and Parole for time to prepare an appeal.

Judge Geer reviewed details of the crime and court hearing of the case in his typewritten decision. He said Fair was advised repeatedly of his rights in court and Fair repeatedly asked to plead guilty as charged.

3 Again Face Chair In LaGrange Rape

The Atlanta Constitution
Atlanta, Ga. Fri 6/17/60

LAGRANGE (AP)—Three Negroes convicted for the second time in the rape of a young white woman Thursday had another date with death in Georgia's electric chair.

P. 1

The trio was convicted Wednesday after a two-day trial, ordered by the state supreme court on grounds that the judge improperly instructed the jury in the first trial.

27e(2)

Judge Samuel Boykin of Coweta Superior Court set July 29 as the execution date for George Alford Jr., 18, of Dayton, Ohio; Clifford Johnson, 22, and Brannon Epps, 24, both of LaGrange.

Two white youths repeated their testimony that the Negroes forcibly took the woman and her young cousin from them while they were returning from a dance.

The defendants claimed they paid the woman $5 and that she accompanied them willingly.

The supreme court threw out the first conviction on grounds that Boykin improperly instructed the jury to disregard testimony that the woman had a reputation for lewdness.

The Negroes were charged with raping both the woman and her cousin but were tried only for raping the woman. Names of rape victims are withheld from publication under Georgia law.

The case created a tense racial situation in this west Georgia city last year. The first trial was closely guarded.

The supreme court last April ordered the second trial.

Rape Slayer Given Stay For Review

The Atlanta Constitution
Atlanta, Ga.

Gov. Vandiver granted a six-week stay of execution Wednesday for James Fair, New Jersey Negro, who had been scheduled to die Friday for the rape-slaying of an 8-year-old Negro girl.

Thurs. 6-16-60

The stay will give the State Board of Pardons and Paroles a chance to review Fair's case. It can commute his sentence to life imprisonment but cannot grant him the right to a new trial.

P. 6

REQUESTED REPRIEVE

Defense attorney C. B. King of Albany wrote the board requesting the stay after Judge Walter I. Geer of the Patula Circuit denied a new trial.

27e(2)

Fair, 24, had pleaded guilty to the rape-slaying charge.

Vandiver said he issued the stay so that legal counsel for Fair could "exhause all possible means of saving his life."

ARRESTED AT BLAKELY

Fair was arrested May 15 on the outskirts of Blakely and charged with the rape and murder of the Negro child. Two days later, Geer sentenced Fair to death after the 24-year-old Negro pleaded guilty and declined a trial.

Geer handed down a 21-page decision Tuesday in which he said there was no legal or "sociological or psychological reason" for granting a new trial for Fair who moved to Georgia recently from Bayonne.

3 Negroes Win Retrial In Rape Case

The Atlanta Constitution
Atlanta, Ga.

The Georgia Supreme Court Thursday order a new trial for three Negroes who were tried in LaGrange last summer, convicted and sentenced to die in the rape of a white woman.

Fri. 4-8-60

The high court ruled unanimously, based its finding primarily on the charge to the jury by Judge Samuel Boykin.

27e P.14

The Negroes, Brannon Epps, 24, and Clifford Johnson, 22, both of LaGrange, and George Alford Jr., 18, of Dayton, Ohio, were charged with raping the white woman after waylaying her and her white escort.

Defense attorneys filed exceptions to Judge Boykin's jury charge. One of the main complaints centered on the manner in which the jury was told to consider defense claims that the woman was lewd.

Boykin told the jury the claim could be considered as a reflection on the woman's credibility and also on the merit of the defense contention that she gave consent. But at the same time, he ruled that if the jury found that the criminal act had been committed, it could return a guilty verdict regardless of what it believed about her character.

The Supreme Court held the judge unduly restricted the jury in the portion of testimony it could consider in reaching its findings. The high court pointed out that two state witnesses gave sufficient testimony under cross examination to justify a finding that she was a lewd woman.

Execution Is Reset in Sex-Slaying

The Atlanta Constitution
Atlanta, Ga.
June 8 23/60

Constitution State News Service

BLAKELY—A New Jersey Negro convicted in the rape-slaying of an 8-year-old Negro girl here was resentenced to die in the electric chair Sept. 2 after Gov. Vandiver turned down a request for a second reprieve.

The Negro, James Fair, was originally scheduled to die June 17 for the sex killing of Yevon Holmes, daughter of Mr. and Mrs. Bunzie Holmes, both teachers at Washington High School here.

Gov. Vandiver granted the first stay of execution so the 24-year-old Fair could "exhaust all possible means of saving his life."

Fair pleaded guilty and waived jury trial. Two days after his arrest Judge Walter Geer sentenced him to death.

9600

Rape-Killer Is Denied Reprieve

The Atlanta Constitution

Gov. Vandiver Wednesday turned down a second reprieve for James Fair Jr., confessed Negro rape-slayer from New Jersey.

Judge Walter I. Geer of the Pataula Judicial Circuit said he probably will sign a new execution order within a day or two. Geer sentenced Fair to die last June 17 after the Negro pleaded guilty in Early County Superior Court.

Rape Trial Hearing Postponed

LAGRANGE (AP)—A motion for a third trial for three Negroes under death sentences on accusations of repeatedly raping a young white woman will be heard Sept. 18 instead of Friday.

Judge Samuel U. Boykin of Carrollton granted a request of court-appointed defense attorneys that they be allowed more time to develop new evidence. Appearing for the Negroes were James Weldon and Wilson Durden, who said they hoped to make a showing warranting an acquittal or a less severe sentence.

The Negroes have twice been convicted and sentenced to electrocution on testimony of the white woman and her young cousin that they were whisked from two white escorts while returning from a dance early Aug. 1, 1959, driven to the countryside and raped by all three Negroes.

The Negroes admitted having sexual relations with the women but claimed that consent was obtained upon payment of $5. They were tried only on charges involving the older woman.

Their first conviction was thrown out by the Georgia Supreme Court on the grounds that the trial judge erred in charging the jury to disregard testimony that the thrice-married woman had a reputation for lewdness. The appellate court held that the evidence justified a conclusion of lewdness.

Sentence Stands In Sex Slaying

ATLANTA (AP) — The Georgia Supreme Court refused Monday to interfere with the scheduled execution Friday of a New Jersey Negro sentenced for the sex slaying of an 8-year-old Negro girl.

The court rejected a motion by attorneys for James Fair Jr., 24, of Bayonne for an order to require the trial court to certify a bill of exceptions to the tribunal.

Judge Walter I. Geer of Colquitt County declined to sign the bill of exceptions on the grounds the petition contained incorrect and untrue statements. The Supreme Court upheld his action.

Apparently Monday's order left only habeas corpus action in Federal Court open to attorneys for the New Jersey Negro.

Fair was arrested May 15 at Blakely in southwest Georgia and officers said he confessed raping and murdering the Negro child. Indicted the following day, he pleaded guilty on May 17 and was sentenced to the electric chair.

27e(2) 1960 GEORGIA 9601

Negro Acquitted of Rape After Third Trial Here

The Atlanta Constitution
Atlanta, Ga.
1-22-60
P. 16

A 21-year-old Negro, charged with raping a white woman after breaking into her southwest Atlanta apartment in December 1958, was acquitted Thursday by a Fulton Superior Court jury.

Melvin L. Smith was found innocent after the jury had deliberated about an hour and 40 minutes.

Smith was charged with breaking into the apartment and raping the white woman and her white girl friend. The case wound up in a mistrial in January, 1959, but Smith was convicted and sentenced to the electric chair in a retrial in May.

27e(2)

Smith was granted a new trial in October when the Georgia Supreme Court overturned the May conviction and death sentence.

Attorney Phillip Slotin, one of Smith's defense lawyers, was held in contempt of court and fined $50 or 10 days in jail by Judge E. E. Andrews at the conclusion of the trial Thursday. He gave a check for the $50.

Court Drops Remaining Charges Against Him

Atlanta Daily World
Atlanta, Ga.
1-29-60

By JOHN BRITTON

Once-doomed Melvin Smith was released from county jail Thursday, exactly one week after he was acquitted of criminal assault charges, and less than an hour after Superior Court Judge E. E. Andrews signed an order that will, in effect, bury the three other indictments that were held against him.

Smith walked out of jail to freedom shortly before 11 a. m. Thursday after Solicitor General Paul Webb had appeared in Superior Court earlier and moved that three indictments charging the 22-year-old father with rape, sodomy and burglary be dropped.

The process of Smith's official release from the three charges was a quiet one, attended only by his attorneys, Phillip Slotin and Dan Copeland, Solicitor Webb, Judge Andrews, and a crowd of disinterested spectators awaiting trial of others cases.

The move toward freedom for Smith was as swift as the stroke of a pen, as Judge Andrews signed the motion to "dead docket" the three remaining indictments that spelled immediate freedom for the long imprisoned father of three children.

MET BY ATTORNEYS

As he walked spryly down the dark county jail hallway that led to the light of freedom he was about to taste for the first time in more than one year, Smith met the outstretched hands of his attorneys and chief jailer C. W. Smithwick.

It was Smithwick who spoke first. The jailer told the bounding, anxious young free man that he "kinda" hated to see him leave, but on the other hand Smithwick told the youthful Smith, "I never want to set eyes on you again — here."

On the outside of the jail, Smith met the co-chairman of a committee that is generally credited with sparking a drive for legal defense that eventually proved to be a major aid to Smith's final liberation.

C. A. Scott, of the Melvin Lewis Smith Defense Committee, met Smith with a pat on the back and promises that the defense group will now seek to aid the youth in a process of rehabilitation and reorientation to the world he had been away from for more than one year.

Asked what he wanted to do, Smith's unhesitant reply was, "I want to get home and see my wife and children." His wish was virtually a command, and off he went to a lonely brood that had missed his strong arm of support for many months.

WIFE GREETS HUSBAND

Squealing with pleasure at the very sight of him, Mrs. Louise Smith literally leaped from the floor and planted a hug around her husband's neck that expressed a feeling that no words could have equally conveyed.

She told her husband that she had thought he would be released Thursday, but she wasn't sure. So she just waited at home. And she was never so surprised as she was when shortly after noon, Melvin strolled in. He was also greeted warmly by his mother, and two of his pre-school age children.

Thus, nobody had any doubts that Melvin Lewis Smith was free now. No bitterness showed on the freed man's face, but he still can't understand why "they" did it to him.

Smith was arrested December 12, 1958. At that time he was accused of raping two Southeast Atlanta white women. Smith, a supermarket employee at a store not far from the alleged scene, protested his innocence, but detectives took him to jail.

FIRST JURY DEADLOCKS

He went to trial in January of 1959. An all-white jury deadlocked after hearing evidence in the case, and Judge Andrews pronounced a mistrial.

A second trial was scheduled for February, but it was jerked off the calendar for that month when an official transcript of the January trial was not immediately available.

27e(2)

In March, the second trial became a grim reality. That all-white jury found Smith guilty and Judge Andrews decreed that the defendant should die in the electric chair.

Ga.

But the case had not ended. A group of citizens formed the Melvin Lewis Smith Defense Committee that elected as its leaders C. A. Scott, Jesse O. Thomas and the Rev. Arthur Perkins.

As a result of community efforts, mostly financial, the case was enabled to move all the way to the top rung of the Georgia judicial ladder — The Georgia Supreme Court.

ERRORS IN RULING

That high judicial body found errors in Judge Andrews' previous ruling and paved the way for Smith's third trial. In its order relating to the Smith case, the Supreme Court justices said that Judge Andrews had "abused his authority" in certain aspects of the Smith case when it was centered at Superior Court.

The third trial began January 18 of this year again before Judge Andrews. Again, 12 white men were sworn in as jurors to hear the case. The hearing lasted for four hotly - contested days that featured a parade of witnesses who testified for the state and for the defense.

The charge was that Smith had allegedly criminally assaulted a white woman at the apartment rented by the alleged victim's then current roommate.

That charge was virtualy refuted by the 12 jurors, who said that Smith was not guilty of the alleged crime. Smith, confused, as was the packed courtroom full of spectators, was led back to jail handcuffed.

It seems that three other indictments had also been drawn up against Smith on charges that grew from the same alleged incident of which he had just been acquitted.

The tug of war began. Defense attorneys led the battle force that contended that Smith should not have been in jail and that the other indictments should have been dropped immediately.

BREAK THROUGH COMES

Days passed and the tension grew. But Wednesday, the breakthrough came. Word was received that the solicitor general himself intended to appea rin court Thursday to ask that the remaining indictments against Smith be dorpped. He was to appear before Judge Andrews.

intended to appear in court Thursday and he did file a motion with the court asking that the remaining indictments be dropped. The motion was approved in writing by Judge Andrews' signature, and Smith was then free.

When the thrill of "outsideness" Lewis Smith Defense Committee. He thanked his two defense attorneys. And he thanked the public that rallied to his support and contributed directly to the freedom he is now enjoying. The committee added their thanks to the community too.

The youth joined in a meeting with the defense committee Thursday afternoon, where he again thanked everybody in sight for the help they had given in efforts aimed towards his freedom.

He was the very picture of happiness as he gazed intently at his benefactors who are now mapping plans for his future. Photographs recorded his moods and emotions, but the committee, for various reasons, decided against their use in public print.

MELVIN SMITH IS "FOUND NOT GUILTY" IN THIRD TRIAL HERE

HAD BEEN SCHEDULED TO DIE LAST APRIL

By JOHN BRITTON

Melvin Lewis Smith was found not guilty Thursday afternoon of criminal assault of an Atlanta white woman after an all-white jury had deliberated only one hour and thirty minutes in deciding on a verdict in the defendant's favor.

The jury's life-saving decree was read to the judge by trial solicitor Frank French before a packed courtroom filled with many spectators who had sat through the entire four days of the gruelling trial proceedings.

A deafening silence flowed from the hushed crowd which displayed no outward show of emotion following the verdict since the judge had warned against such. And Smith never spoke a word as court bailiff's led him from the courtroom back to his county jail cell.

The not guilty verdict came at the third trial ordeal Smith has been put through on criminal assault charges. The first hearing was declared a mistrial when the all-white jury deadlocked.

Smith was convicted and sentenced to the electric chair the second march after another all-white jury found him guilty as charged in the original indictment that named another woman as the victim. It was at that point that a Melvin Lewis Smith Defense Committee was formed to spark efforts aimed at securing for Smith the right to a fair trial.

The case went to the Supreme Court of Georgia, and that court cleared the way for a third trial. Thursday saw Smith's acquittal authorized by still another all-white jury.

FREE

Smith, however, is still not a free man. The 29-year-old father of three children was tried on an assault indictment for the third time that named only one of the two accusing women as the victim.

Now, it is still possible that the state can call up the second indictment from the files and bring Melvin Smith back to trial on almost identical criminal assault charges made against him by still a second white woman.

Too, Smith was indicted on two other charges at the same time the indictment was returned naming him defendant in the case that just ended Thursday.

Co-chairmen C. A. Scott, Jesse O. Thomas and Rev. Arthur Perkins of the Defense Committee for Melvin Smith announced that there will be a meeting of the full committee Saturday at noon at Butler Street YMCA for a view of the situation for any possible further action.

Defense counsels had made a motion that all four indictments be consolidated and put up for trial together at the very outset of the litigations, but the motion was overruled by Judge E. E. Andrews.

FUTURE UNCERTAIN

It is not certain whether the solicitor's office will press the additional charges contained in the other three indictments, especially in the wake of the "not guilty" verdict just returned by the all-white jury Thursday.

CONTEMPT CITATION

Meanwhile, shortly after Smith was declared not guilty of charges of rape on December 9, 1958, presiding Judge E. E. Andrews cited Defense Attorney Phillip Slotin for contempt of court and fined him $50. If he didn't pay the fine he was to have gone to jail.

But Slotin paid the fine by check immediately and was free. Ironically he borrowed a blank check to make out his payment of the court-imposed fine from solicitor Frank French, who had just lost the case against Smith.

The jury retired for deliberation of the facts in the case at exactly 5 p. m. Thursday with the fate of Melvin Smith dangling in their hands. They returned to the courtroom with their decision at approximately 6:30 p. m.

Before retiring the jury had heard impassioned pleas for acquittal by defense attorneys, and an equally emotional request for the death penalty delivered by Solicitor French.

The last day of the third trial of Smith began on a dramatic note as the defendant again mounted the witness stand to make a supplementary unsworn statement.

It was in that supplementary statement that Smith told the court that he stood ready and willing to submit to a lie detector test to prove his innocence.

LIE DETECTOR TEST

Immediately thereafter, Slotin asked the court to allow Smith to have a lie detector test before the conclusion of the trial. But Judge Andrews refused to issue such an order, saying it was too late in the trial and that ample time had existed prior to the hearing for a test to have been made.

Perhaps most remarkable of the the fourth - day trial session Thursday was the number of "character witnesses" introduced by the state to attest to the alleged victim's "good character."

At least 16 witnesses mounted the witness stand Thursday to testify that they knew that the accusing womens' reputation in the community for "veracity and chasity" was "good."

But on more than one occasion, several of the witnesses attested to that good reputation, but, under cross examination, admitted that they did not know the meaning of the words "chasity" and "veracity."

Several additional character witnesses for the women admitted under cross examination that they knew the alleged victims only from job association, and not their reputations in the community where they lived.

TWO WITNESSES

The defense, on the other hand, brought only two witnesses to the stand who had known Smith for quite some time to attest to the defendant's good character.

At least two other character witnesses for the defense were scheduled to testify, but both, including a minister, did not show up at court in time to take the witness stand.

The final minutes of the trial reached almost fever pitch with the attorneys for both sides presenting to the jury their final arguments. The complete silence of the audience, at this point, told a story of the strains and tensions that have punctuated the hearing for four whole days.

In his final argument, Slotin reminded the jury of a city detective's testimony that one of the victims had told him positively that Melvin Lewis Smith was not the man who allegedly raped them.

Noting that testimony, Slotin said "and yet Frank French has the audacity and the nerve to come into this courtroom and ask for the electric chair in a case like this."

Slotin charged that the implication of evidence in the case tended to support his contention that French had attempted to suppress evidence by not introducing the detective as a witness for the state.

Slotin, continuing his final argument, described the case as the most ridiculous and the weakest (case) of rape the state has ever had."

Slotin added that the case was sparked by "just some narrow - minded people in a Southern atmosphere who have allowed this bigoted case to come to court and try the patience of this jury."

"SAVE FACE

Slotin said the women reported rape to the police only to save face, and that, he said, is when they "got on the tigers back." If they ever got off that tiger's back, it was explained later, "the tiger would eat them up."

Copeland said the "tiger" in the Smith case was "the fact that the women had an unexplained visitor the night in question and heard a neighbor threaten to summon police to investigate the strange actions next door.

Copeland said the women kept getting deeper and deeper into the case and finally "couldn't get off that tiger's back, and there sits Melvin Lewis Smith accused of this crime, simply because they couldn't get off that tiger's back."

The solicitor, in his final argument, alleged that the defense had not succeeded in "blackening" the character of the accusing women. He said that the jury should find Smith guilty of rape without any recommendation of mercy.

The judge then charged the jury and told the 12 men that they had a choice of finding Smith guilty with a recommendation of mercy, which could have brought a sentence of one to 20 years; finding him guilty without a recommendation of mercy, which would have brought an automatic death sentence under Georgia law; or they could find him not guilty, as they finally did.

Third time is the charm for Ga. rape suspect

ATLANTA — After less than two hours deliberation, a Georgia jury found Melvin L. Smith, 21, not guilty of raping an Atlanta white woman.

This was Smith's third trial for the offense. His first, last January, resulted in a mistrial. His second resulted in his being found guilty and sentenced to death in the electric chair. That trial was in May.

In October, the state Supreme Court overturned the death conviction and granted him a new trial. Last week, an all-white Fulton County Superior Court jury freed him.

9602

Duplicates Macon with Races Reversed

The Pittsburg Courier

LaGrange Negroes Don't Want 3 'Rapists' to Die

Pittsburg, Pa.

By TREZZVANT W. ANDERSON
(Courier Roving Reporter)

LaGRANGE, Ga.—Last Sept. 15 this reporter sat in a Georgia court in Macon during the trial and acquittal of a white man accused of raping a 15-year-old Negro baby-sitter and wondered what would have happened had the races been reversed and a white girl was involved with Negroes being accused. Negroes in court wept when that verdict was announced.

The answer has been clearly given here in LaGrange, with but one variation in the case.

The Negro victim in Macon was an innocent, cleancut young virgin from a good family and a good girl. The white victims in the LaGrange case were—by the testimony of their own white escorts—not the kind of girls they (the escorts) wanted anyone to know they had associated with.

The fundamental defense offered by the alleged rapists in both cases were almost the same, except that the Negro youths said the white women asked them for money—$5 for each act. The white man accused, Tommy Paul Daniels, said he made the offer of $5 to the Negro baby-sitter.

■

THE WHITE man said the Negro girl accepted his offer and he had relations with her—and she was a virgin, it was proved. The Negro youths said they accepted terms of the white girls at LaGrange and had relations with them.

The Negro baby-sitter said she let the white man have relations with her because he threatened to kill her and she was afraid. The white girls said the Negro youths threatened to kill them and they had relations with them because they were afraid.

What happened? You should know the answer: the white accused was acquitted completely. The three Negro youths here were found guilty without recommendation of mercy and sentenced to death in the electric chair. In their case, the act took place on Aug. 1, 1959 and they were sentenced to death on Aug. 11, just 10 days after the act.

■

THEIR APPEAL was due to reach the Georgia Supreme Court for a new trial with Dec. 31 as the deadline for the filing of the appeal. Three white lawyers who were appointed by the court to defend them have been hired by their families to push the appeal.

Negro citizens here in LaGrange are agreed upon how they feel about the situation. They are contributing of their meager funds to help pay the lawyers because they say—almost unanimously—the three Negro youths should be punished but should certainly not go to the electric chair.

To see how the two cases compare so almost identically let's look over the records. Here's how The Courier of Sept. 26, 1959, reported the trial of the white man in Macon (this reporter was present):

"The girl, whose father and mother sat with her in the courtroom, said Daniels had threatened to kill her if she didn't do what he wanted and, also, if she told anyone about it afterwards. She yielded because she was afraid, the girl said."

Further: "The girl denied stoutly that she had agreed, willingly, to have relations with the white man. She insisted she yielded because she was afraid he might kill her. The incident took place on the night of July 15." That was two months before the trial.

HERE'S WHAT the elder white girl, the married one, testified to during the LaGrange trial:

"Johnson (one of the Negro youths) told me: 'If you don't get in the truck, we'll kill you. Johnson slapped me and I slid on the gravel and fell to the ground when he slapped me." She said George Alford (another of the Negroes) then had relations with her.

In his statement to the jury—unsworn as was the white man's in Macon—Clifford Johnson said Robert Hubbard (a Negro delivery boy from whom the three allegedly took the white girls after he had tried to rescue them) told the girls to get out of the truck.

Then Johnson said: "The girl asked me if I had any money, I said 'Yes.' She said, 'Well give me $5.'" Johnson then said his companions had relations with the white girls for "$5 apiece." This is taken from the court transcript of the trial, which is being sent up to the State Supreme Court.

The Macon trial was held in open court. The LaGrange trial was held with the court room cleared of spectators, at the request of defense attorneys.

The character of the victims in the two cases were different, according to the testimony. Here are some questions put by defense Atty. James E. Weldon to one of the white escorts of the white girls in the LaGrange trial—Aaron Brooks:

Q.—"You admit that you went down there to make those girls, don't you?"

A.—"Yes, sir."

Q.—"And you didn't, did you?"

A.—"No, sir."

Q.—And if you had you would not want to tell about it, would you?"

A.—"No, sir."

Attorney Weldon then repeated this question and received the same answer.

Q.—"Isn't that right?"

A.—"I wouldn't cared if she knowed."

Brooks then told how he told the white girls to stay in the car, and they got out, against his will. Attorney Weldon then resumed his questioning after asking about the two girls:

Q.—"Is that the kind of girl you want to go with?"

A.—"I wouldn't go steady with na're one of them."

Brooks then said he had heard people say that "you could go with them"—the white girls. Attorney Weldon then asked:

Q.—"You went a long way out of your way to go through the Negro section, didn't you?" The youth answered "Yes, sir," to this question. The offense took place near a Negro housing project.'

■

THE JURY, of 11 whites and one Negro—a preacher from Hogansville—found the three Negroes guilty without recommendation of mercy, making the death sentence mandatory upon Coweta Circuit Judge Samuel A. Boykin, who tried the case. The Courier was told the jury was hung for almost two hours on an 11 to 1 for guilty with recommendation of mercy, but that the Negro was won over.

Many Negroes here say what happened was in keeping with crossing racial lines that has been going on for years, but none would make any affidavit to support the charge—for obvious reasons. Troup County once was considered one of Georgia's "bad" counties.

This reporter was told of a bizarre incident which may or may not be related to the offense here: A middle-aged Negro woman died under mysterious circumstances between the time the youths were arrested and before a defense attorney could reach and question her. She was supposed to have been in the habit of renting rooms to white girls who wanted to meet Negro men.

That's how it looks after one compares testimony in the trial in Macon last September and the one here last August. But, let us not forget: No Negro here feels the three youths should go unpunished. But they don't feel they should go to the chair.

Another Negro Given Chair On Slaying White

Atlanta Daily World

Jan 1-15-60

CAMILLA — (SNS) — An all-white male jury returned a guilty verdict and Judge Carl Crow sentenced Leon Davis, 40, to die in the electric chair Feb. 19 for the slaying of a white man. Three other Negroes await trial on murder charges in the case.

The four men were indicted in the death of James Glenn, 22, who had stopped to help them get their car out of a ditch. Davis admitted on the witness stand that he fired the four shots into Glenn's head. The four then attempted to burn his body.

The jury did not recommend mercy. The other three are Richard Whitus, 40; Judson Stillman, Jr., 35, and John Daniels, 16.

Other Charges Against Smith May Be Dropped

Atlanta Daily World
Atlanta, Ga. H1
Sat. 1-23-60

By JOHN BRITTON

The day after 12 white men acquitted Melvin Lewis Smith of a charge that he raped a Southeast Atlanta white woman, other groups of men were mapping methods to gain freedom for the accused man.

The 22-year-old father of three children is still behind bars at County jail despite his acquittal Thursday. But the expected legal maneuvering aimed at making him a free man after more than one year in jail will no doubt get under way in earnest early Monday morning.

Several sources said Friday that a meeting of attorneys involved in the prosecution and the defense of the trial will probably come off Monday morning to discuss ways of disposing of the three barriers to Smith's ultimate freedom.

The three obstacles in the youths way presently are the approximately eight by 16-inch slips of paper upon which indictments are printed.

Within the three indictments are contained charges that young Smith criminally assaulted the roommate of the woman whose allegations the defendant has just been acquitted of; charges that he burglarized the apartment of the accusing women; and charges that he committed the act of sodomy.

Technically, Smith could be brought to trial on each of the three remaining charges. But it was understood from a high-level courthouse source that the solicitors office is considering dropping the remaining charges in the light of Thursdays acquittal.

At the very outset of the trial that just ended with Smit's acquittal, Defense Attorneys Phillip Slotin and Dan Copeland made a motion that the four indictments be combined into one action and tried together.

But, presiding Judge E. E. Andrews overruled that motion and ordered Smith's trial to proceed on only one indictment.

Slotin and Copeland had contended all along that all the facts in each of the four cases are almost identical, and that the indictments should be combined.

One of the most prominent questions said to be in the minds of the more vocal courthouse observers was the possibility that double jeopardy would be constituted if Smith is brought to trial again on either of the other three indictments.

COMPARISON

Another observation was the comparison of the aftermath of this case with that of a white man who was once charged with bombing The Temple back in 1958. That man was finally acquitted of the bombing charges.

There were at least three other men indicted along with the acquitted man in connection with the same bombing charge, but the cases against them were "nol prossed" — not prosecuted — after the tried man's acquittal.

If Smith were ordered to stand trial again, it would be the fourth hearing on indictments growing out of the same alleged incident as the charge he was just acquitted for.

Smith was subjected to one Superior Court hearing in January of 1958, but the all-white jury deadlocked and Judge Andrews pronounced a mistrial. The second trial ended in Smith's conviction and he was sentenced to die in the electric chair.

An appeal to the state Supreme Court resulted in an order from that high tribunal that paved the way for a third trial. At the conclusion of trial number three Thursday, Smith was acquitted of rape charges.

The third hearing just ended lasted for four full days and featured the story - book drama type of criminal trial that well could have been penned by the originator of the Perry Mason series.

An example of the tensions that lasted throughout the trial proceedings was a contempt of court citation leveled against Defense Attorney Slotin by Judge Andrews.

Slotin was fined $50, or ordered to spend 10 days in jail for, what the judge termed, violating some of the court's rulings throughout the trial proceedings.

Slotin strongly denied any deliberate violation of the court rulings; but, nevertheless, wrote out a check for $50 and walked away a free man.

On one occasion, Slotin spotted trial Solicitor Frank French and Judge Andrews standing off alone whispering out of the hearing of the jury and defense counsel, but in their plain view.

Slotin said such an act would tend to be prejudicial on the jury and went on record as objecting to the whispering sessions. Judge Andrews denied that he and French were discussing the case, but he instructed the jury not to be swayed by the sight of the whispering.

Solicitor French had asked the jury to return with a verdict that would automatically bring a death penalty. Defense attorneys argued that "this is the most ridiculous and the weakest case of rape the state has ever had." He asked the jury to bring back a verdict of acquittal.

The all-white jury took only one hour and thirty minutes to deliberate before bringing back their verdict of acquittal for Smith. Solicitor Frank French, representing the losing side, read the verdict from the face of the indictment, then hurled the paper back to the clerk's desk and flopped down into a chair, with a thud.

Although Smith is not now a free man despite his acquittal on the rape charge, strong forces that have backed him throughout his aid for freedom are said to be busy at work.

And at least one group, The Melvin Lewis Smith Defense Committee, will meet in full membership session at noon Saturday at the Butler Street YMCA to analyze what has happened and to decide on future moves.

Meeting Held On Smith's Future

Atlanta Daily World
Atlanta, Ga.
Thurs. 1-26-60

By JOHN BRITTON

Defense attorneys for Melvin Lewis Smith Monday morning met behind closed doors with Fulton County Solicitor-General Paul Webb and discussed methods and means of paving the way for the 22-year-old father's speedy release from county jail.

It was learned that Solicitor Webb made a definite committment to the defense attorneys regarding his intention to have a Monday afternoon conference with Judge E. E. Andrews relative to the matters of Smith's release.

Webb, it was learned, was to have met with the judge who presided over Smith's recent trial to iron out the methods the court would use to officially release Smith from the three remaining charges against him.

But as press time Monday night, no definite word has reached the WORLD about the outcome of the latter scheduled meeting between the two courthouse officials.

However, if things move along as they are expected, some word is expected to leak out today about the decision relating to the Monday transaction between the prosecutor and the judge.

In a more positive vein, sources close to the case have said that Solicitor Webb has agreed to present Judge Andrews with certain facts with a view towards dropping the remaining charges against Smith.

A wait-and-see game is now in progress, with the many forces supporting Smith virtually waiting in the wings to learn of the climax that is to come of the drama scheduled to have been played out by the solicitor and the judge Monday afternoon.

And the person not the least anxious to learn of the courthouse officials' discussion over his fate is Smith himself, who still awaits some word as he sits in his cell at county jail.

Although he was acquitted last Thursday of charges that he assaulted a Southeast Atlanta white woman at the apartment of her After four grueling days of wit- Smith was taken back to jail the same night of his acquittal because of three other indictments outstanding against him.

The other three indictments contain charges that he: criminally assaulted another woman who resided at the apartment where the incident allegedly occurred; broke and entered that apartment (burglary); committed the act of sodomy on the woman named in the indictment he was just acquitted on Thursday.

A panel of 12 white men made up the jury that found Smith not guilty of one of the rape charges. After four gruelling days of witnesses and testimony, the 12 men retired to the jury room where they deliberated only approximately one hour and thirty minutes before bringing back a decision in the defendant's favor.

Defense Attorneys Dan Copeland and Phillip Slotin now contend that Smith's acquittal on that one criminal assault charge was a complete acquittal on the remaining indictments, since, they argued, the same facts and circumstances in the four indictments constitute the same alleged "transaction."

Attorneys Slotin and Copeland further argued that their defense was built around their contention that "Smith was not there the night the incident allegedly occurred. He was at home with his wife and children."

The jury's decision to acquit Smith, the attorneys said, was "necessarily based on our defense of alibi (that Smith was not there and was at home with his wife). Therefore, the Thursday acquittal would be a complete acquittal on anything contained in any of the other indictments," the attorneys said.

"The defense of alibi' ajudicates all transactions that allegedly occurred at the women's apartment that night in question," Slotin said. The Thursday acquittal covers the pending indictments," the attorney concluded.

The credibility given the defense contentions by the prosecutor and the judge will be made known by their actions regarding the request that the remaining charges be dropped speedily.

Another conference with the solicitor - general has been planned for today, but just what will come of that meeting is left purely to speculation. But, several sources in the community are seemingly optimistic about the outcome of the whole procedure.

9603

Gets Life In Brutal Rape Case

Chicago Defender
Chicago, Ill.
Dec. 17-23-60
27e(2)

Twenty-nine-year-old Reginal Hicks, of 1540 E. 65th pl., was being processed this week at the Cook County Jail for a trip to the Illinois State penitentiary where he was sentenced to life imprisonment Friday, for a rape attack on a Southside housewife.

Hicks who is married and unemployed was found guilty in a jury trial in the Criminal Courtroom of Judge David A. Canel.

He was accused of taking his victim from inside her hallway, shortly after she entered her vestibule and forcing her to accompany him at knifepoint to an alley in the vicinity of her home, Sept. 28.

The victim testified she was returning from work about 1:30 a.m. A slowly closing inner door made it possible for Hicks to enter and catch her before she could reach her apartment. She said the attack upon her lasted more than an hour.

A jury, visibly angry, alternated between giving Hicks life imprisonment and 199 years. Hicks was arrested by Woodlawn detectives Ronald Nash and Victor Vrdolyak, Oct. 7, on the street at 67th street and Stony Island ave.

9604

Man, 38, Pleads Guilty To Doping, Raping Girl; Gets Life, 10 Years

The Courier Journal, Louisville, Ky. Thurs. 6/9/60

Codefendant To Face Trial

27e(2)

A 38-year-old man, accused of doping, robbing, and raping a girl in February, was given two sentences in Criminal Court yesterday—life for rape and 10 years for robbery.

Judge Thomas J. Knight ruled that Jackson T. Bartlett, 38, Newburg, must serve the life sentence before he starts serving the shorter term.

This means Bartlett, who pleaded guilty to the charges, must serve about 12 years before he will be eligible for parole.

Police reported that Bartlett and Paul Cosby, 33, of the 600 block of South 27th, gave the 18-year-old victim some "knockout" drops in a soft drink. They then assaulted her and robbed her of $62.75.

Two Charges Continued

The charges against Cosby, who hos pleaded not guilty; were continued to September 26.

It was disclosed yesterday that Charles Robert Robinson, 20, Crestwood, did not plead guilty to robbery in Judge L. R. Curtis' court Tuesday. His trial for armed robbery is set for June 20.

His name was placed on the docket in error in place of that of Eugene H. Robinson, 33, Elizabeth, Ind., who did plead guilty to robbery. Eugene H. Robinson was given a five-year sentence.

Youth Gets 7 Years For Raping 2 Girls

Courier-Journal, Louisville

1.17

One of three youths accused of assaulting two 16-year-old girls was found guilty of rape by a Criminal Court jury yesterday. He was given seven years in prison.

The jury in Judge L. R. Curtis' court deliberated more than an hour before convicting Robert Melvin Thomas, 17, of 2703 Parkwood. Thomas asked for a new trial. Curtis will rule on his motion later.

Trials of Kenneth L. Woodring, 18, of 1512 Turquoise Drive, and Jerome L. Ward, 16, of 6614 Manslick Road, will be held October 4.

Assistant Commonwealth's Attorney Thomas Burton said the trio forced the girls into their auto near Bardstown and Taylorsville roads in May, 1959.

They drove to a road off the Watterson Expressway where the attack occurred, Burton said.

Thomas, whose first trial in January ended in a hung jury, denied the rape charge.

In another case in Curtis' court, Nan Sturm, 32, of 403 Ottawa, pleaded guilty to uttering a worthless check and was given 18 months in prison.

Police said she gave a $20 worthless check to the Kroger store in Shelbyville Road Plaza last December.

Judge Thomas J. Knight revoked the suspension of a three-year sentence John L. Busby, 21, of 408 W. Lee, was given in 1958, and ordered Busby sent to prison.

Busby and James H. Montgomery, 19, of the 1100 block Carlisle, are accused of robbing Arnold's Restaurant, 111 W. Broadway, last November.

Montgomery was found guilty in March and given a life sentence. Busby has not been tried.

9605

2 Battling For Life After 7 Years On La. 'Death Row'

Louisiana Weekly, New Orleans, La., Sat. 7/9/60, p. 1

May Out Do Famed Case Of Chessman

New York — While Caryl Chessman was making international headlines in his unsuccessful bid for life, a New Orleans Negro was waging a similiar fight against the executioner's hand in virtually complete obscurity.

Today--after more than seven years on the Death Row of Louisiana prisons--37-year-old Edgar Labat and his co-defendant, Clifton Poret, are still fighting a grim, unpublicized battle--a battle that may well break Chessman's death-cell record.

On November 2, 1950, Labat was arrested in New Orleans and charged with assisting Poret in a crime most of the South considers worse than murder--the rape of a white woman.

Since that time, according to an article in the current issue of Look Magazine, Labat has been continuously in custody. For over seven years, he and Poret have been in death cells--at present a room six-feet wide and 10 feet long. For 14 months, they were in solitary confinement.

They have received eight stays of execution, one of them less than three hours before they were to be strapped in the electric chair. Their case has moved through the courts a dozen times.

"Within this legal framework," says Look writer Peter Maas, "there is a tangled web of strange contradictions, allegations of coercion of witnesses and suppression of evidence, the dramatic emergence of new testimony and the specter of double-standard justice."

Ironically, adds Maas, "Labat in all likelihood would be a free man today had he accepted a proposal over eight years ago to plead guilty to armed robbery alone.

"His lawyer frankly admits that he advised Labat to take it if he were guilty of any phase of the crime. Labat replied, 'I'm not guilty.'"

As bits and pieces of evidence mount in their favor, an extraordinary legal battle has swirled around Labat and Poret in their death cells.

A first appeal--to the Louisiana Supreme Court--was primarily on the ground of "systematic exclusion" of Negroes from the grand jury that indicted them.

The case has several times gone as far as the United States Supreme Court and currently has been remanded to the Federal District Court for Eastern Louisiana where lawyers G. Wray Gill and Gerald Schreiber are seeking a new trial on the grounds that Negroes were systematically excluded from the trial jury which convicted them.

"For a capital case," says an expert on U. S. Supreme Court actions, "this is one of the shakiest I've seen."

Waiting in his death cell, Labat declares: "The thing that keeps me from going crazy is the knowledge I'm innocent."

Louisianans Still Battle For Life After 7 Years On Death Row

B'ham World, B'ham, Ala.

Sat. 7-9-60 p. 4

NEW YORK — While Caryl Chessman was making international headlines in his unsuccessful bid for life, a New Orleans Negro was waging a similiar fight against the executioner's hand in virtually complete obscurity.

Today — after more than seven years on the Death Row of Louisiana prisons — 37-year-old Edgar Labat and his co-defendant, Clifton Poret, are still fighting a grim, unpublicized battle — a battle that may well break Chessman's death-cell record.

On November 12, 1950, Labat was arrested in New Orleans and charged with assisting Poret in a crime most of the South considers worse than murder —the rape of a white woman.

Since that time, according to an article in the current issue of Look Magazine, Labat has been continuously in custody. For over seven years, he and Poret have been in death cells —at present a room six-feet wide and 10 feet long. For 14 months, they were insolitary confinement.

8 EXECUTION STAYS

They were to be strapped in the electric chair. Their case has moved through the courts a dozen times.

"Within this legal framework," says Look writer Peter Maas, "there is a tangled web of strange contradictions, allegations of coercion of witnesses and suppression of evidence, the dramatic emergence of new testimony and the specter of double-standard justice."

Ironically, adds Maas, "Labat in all likelihood would be a free man today had he accepted a proposal over eight years ago to plead guilty to armed robbery alone.

"His lawyer frankly admits that he advised Labat to take it if he were guilty of any phase of the crime. Labat replied, 'Im not guilty."

LEGAL BATTLE SWIRLS

At bits and pieces of evidence mount in their favor, an extraordinary legal battle has swirled around Labat and Poret in their death cells.

A first appeal — to the Louisiana Supreme Court — was primarily on the ground of 'systematic exclusion" of Negroes from the grand jury that indicted them.

The case has several times gone as far as the United States Supreme Court and currently has been remanded to the Federal District Court for Eastern Louisiana where lawyers G. Wray Gill and Gerald Schreiber are seeking a new trial on the grounds that Negroes were systematically excluded from the trial jury which convicted them.

"For a capital case," says an expert on U. S. Supreme Court actions, "this is one of the shakiest I've seen."

Watting in his death cell, Labat declares: "The thing that keeps me from going crazy is the knowledge I'm innocent."

9606

Three Policemen Freed In Alleged Rape Of Negro

NEW ORLEANS (AP) — Three former policemen are free today after a white male jury acquitted them of charges they raped a Negro woman.

The state called for death penalty in the aggravated rape trial of Anthony Saltalamacchia Jr., 23, Ronald Raymond, 23, and Pater J. Callan, 29. All are white.

The jurors, who deliberated nearly six hours, had leeway to convict on lesser counts.

None of the officers took the stand. The defense, in a surprise move, called no witnesses.

Bertha Whitfield, 24, said Saltalamacchia forced her to have relations in her car. She said the other two officers rode in the same police car, and she was too frightened to resist.

The defense conceded the policeman was intimate with the woman, but said she enticed him.

3 policemen freed in La. rape case

NEW ORLEANS — Three white former New Orleans policemen were freed last week after an all - white, male jury acquitted them of charges of raping Mrs. Bertha Whitfield, 24, who said that one of them had forced her to have relations with him in her car.

The state called for the death penalty in the trial of the three, Anthony Saltalmacchia Jr., 23; Ronald Raymond, 23, and Peter J. Callan, 29.

The jurors who had leeway to convict on lesser counts deliberated nearly six hours before returning their verdict.

None of the ex-officers took the stand. The defense, in a surprise move, declined to call any witnesses.

THE LAWYER for the defense conceded that one of the men, Saltalmacchia, had been intimate, but contended that she had enticed him and had not resisted his advances.

Mrs. Whitfield testified that she had not resisted because she was too frightened to do so.

Deputy Police Superintendent Joseph I. Garrusso testified that the three, who were dropped from the force shortly after the alleged attack, had falsified their activities for Nov. 29, the date involved.

They later admitted falsifying the report, Garrusso said.

75 Years For Attack On Negro Tots

Jury Frees White Officers Charged In Raping Woman

By O. C. W. WALKER

NEW ORLEANS, La. — (ANP) — An all-white, all-male jury here this week freed two white policemen who had been charged with the rape of a Negro mother.

One of the policemen admitted that he had relations with the woman in her auto but said it was of her own free will. The police, two of whom were in uniform and in a squad car, stopped the woman late at night as she was returning from a baby sitting job and told her she was operating her car with parking lights only.

They led her to a secluded spot and the patrolman had relations with her. Another one of the group approached the woman for the same purpose but when he saw her in tears he left her unmolested.

The police were Anthony Saltamachia, Ronald Raymond, regular patrolmen and Peter J. Caken, an auxiliary policeman.

The woman said she was afraid of the police who were armed and one of them took out his gun and placed it beside the woman on the seat while he had relations with her.

In another instance a 28-year-old white man, Rudolph Valle, was permitted to plead guilty to simple rape and was given a sentence of 15 years for the rape of two Negro children, one 13, the other only nine years old. He had picked them up in his car on separate occasions and taken them to a secluded place.

Friday in Angola, a Negro, Isaac Peart was executed for the rape of a white woman in 1955.

A search of records shows that since 1892 when rape was made a crime by death, only two white men have been executed and these for crimes against white women. In the same time 75 Negroes have been executed for the same crime.

First 'Mixed'!

Governor Orders Double Execution

BATON ROUGE—Gov. Earl K. Long late last week signed death warrants for Isaac Peart, 22, New Orleans, and Brody Bryant Davis, 35, white, of Monroe, La., and ordered the pair electrocuted Friday.

Peart was convicted in 1955 of aggravated rape. He was originally scheduled to die April 1, but received a last-minute Federal Court stay.

Davis was convicted in 1958 of murdering Arthur Charles Baker, a recluse in Ouachita Parish.

IT WILL BE the first double execution since April, 1958, when two New Orleans men were put to death for killing a Tangipahoa Parish store owner in a hold-up. Also, it will be the first double execution on record where a white man and a Negro were put to death.

Executions are usually carried out in the state penitentiary at Angola, La., between midnight and 3 A.M.

2 On La. Death Row Vie For Chessman Record

Chicago Defender

NEW YORK — While Caryl Chessman was making international headlines in his unsuccessful bid for life, a New Orleans Negro was waging a similiar fight against the executioner's hand in virtually complete obscurity.

Today—after more than seven years on the death row of Louisiana prisons —37-year-old Edgar Labat and his co-defendant, Clifton Poret, are still fighting a grim, unpublicized battle—a battle that may well break Chessman's death-cell record.

On Nov. 12, 1950 Labat was arrested in New Orleans and charged with assisting Poret in a crime most of the South considers worse than murder —the rape of a white woman.

Since that time, according to an article in the current issue of Look Magazine, Labat has been continuously in custody. For over seven years, he and Poret have been in death cells—at present a room six-feet wide and 10 feet long. For 14 months, they were in solitary confinement.

LEGAL BATTLE

As bits and pieces of evidence mount in their favor, an extraordinary legal battle has swirled around Labat and Poret in their death cells.

A first appeal—to the Louisiana Supreme Court—was primarily on the ground of "systematic exclusion" of Negroes from the grand jury that indicted them.

The case has several times gone as far as the U. S. Supreme Court and currently has been remanded to the Federal District Court for Eastern Louisiana where lawyers G. Wray Gill and Gerald Schreiber are seeking a new trial on the grounds that Negroes were systematically excluded from the trial jury which convicted them.

"For a capital case," says less than three hours before they were to be strapped in the electric chair. Their case has moved through the courts a dozen times.

"Within this legal framework," says Look writer Peter Maas, "there is a tangled web of strange contradictions, allegations of coercion of witnesses and suppression of evidence, the dramatic emergence of new testimony and the specter of double - standard justice."

Ironically, adds Maas, "Labat in all likelihood would be a free man today, had he accepted a proposal over eight years ago to plead guilty to armed robbery alone.

"His lawyer frankly admits that he advised Labat to take it if he were guilty of any phase of the crime. Labat replied, "I'm not guilty.'"

an expert on U. S. Supreme Court actions, "this is one of the shakiest I've seen."

Waiting in his death cell, Labat declares: "The thing that keeps me from going crazy is the knowledge I'm innocent."

27e(2) 1960

LOUISIANA

9687

Three White Cops Indicted For Raping Negro Woman

NEW ORLEANS. The Orleans Parish grand jury has indicted two dismissed New Orleans police officers and a former auxiliary policeman, all white, for the Nov. 2 nearly morning rape of a 23-year-old Negro mother.

District Attorney Richard A. Dowling said he has not decided if he will ask the death penalty during the trial.

Indicted and held in the Parish prison without bail are former Ptl. Anthony Saltalamacchia jr., 23; former Ptl. Ronald Raymond, 23, and former Auxiliary Ptl. Peter J. Callan jr., 29. Their case was alloted to Judge J. Bernard Cocke's section of Criminal District Court.

The three officers were on duty when the alleged attack occurred. They stopped tthe automobile driven by the young woman who was en route to her downtown residence after completing a baby-sitting assignment in the uptown area.

Saltalamacchia allegedly told her she had committed a minor traffic violation but she would be allowed to go. She drove a short distance, according to reports, and the three officers followed in the squad car and again ordered her to stop.

Saltalamacchia ,according to reports, entered her automobile and drove to an isolated spot, followed by his co-workers, and had sexual relations with the woman. He allegedly left his uniform cap in her automobile and was traced after the woman complained to a high-ranking city official.

Police said Saltalamacchia admitted having relations with the woman but said she submitted voluntarily. Callan, officers said at the original investigation, went to the woman's car but said he returned to the police vehicle when he found her crying.

Raymond told investigators that he never left the police car before or during the incident.

The victim was one of eight witnesses who appeared before the grand jury during a two-hour hearing last week. Also heard were the assistant Orleans Parish coroner, three police officers and three of the victim's relatives. The accused men did not appear.

District Attorney Dowling said he planned to set the case for trial in January. He said he has not decided whether to ask for the death penalty.

Aggravated rape has been a capital punishment by death in Louisiana since 1892, however, no one has ever been executed for committing the crime on a Negro female.

Should a 12-man jury return a guilty-as-charged verdict without a mercy recommendation, the death penalty is mandatory.

Under the law, the three officers could all be charged as principals in the case even if all three did not actually have relations with the woman.

Rape Woman Victim

White Cops Plead Innocence in Rape

NEW ORLEANS—Two former policemen and a former auxiliary patrolman, all white, have pleaded innocent in Criminal District Court to a charge of aggravated rape on a 23-year-old Negro mother. They are Anthony Saltalamacchia, 25; Ronald Raymond, 23, and Peter Callan Jr., 30.

Saltalamacchia and Raymond, First District patrolmen at the time of the Nov. 2 alleged attack, and Callan, an auxiliary officer, were riding in a squad car early that morning when the victim drove past.

The victim was stopped and told she had committed a traffic violation but would be allowed to go. As she drove off, the policemen followed and ordered her to stop. Saltalamacchia allegedly drove her automobile, followed by the squad car, to a secluded section and raped her.

■

THE ORLEANS PARISH grand jury subsequently indicted the three for aggravated rape. Conviction on this charge could mean the death penalty.

Saltalamacchia allegedly admitted having relations with the victim but said she submitted voluntarily. The woman identified him in a special showup. Police said his uniform cap was found in the car where the attack allegely occurred.

The three accused men entered pleas of not guilty before Judge J. Bernard Cocke. The judge gave the defense attorneys, F. Irvin Dymond, Edward M. Baldwin and Guy Johnson, ten days in which to file pleadings.

Assistant District Attorney Robert Zibilich said he may seek a seperate trail for Saltalamacchia.

White Man Indicted For Rape Of 2

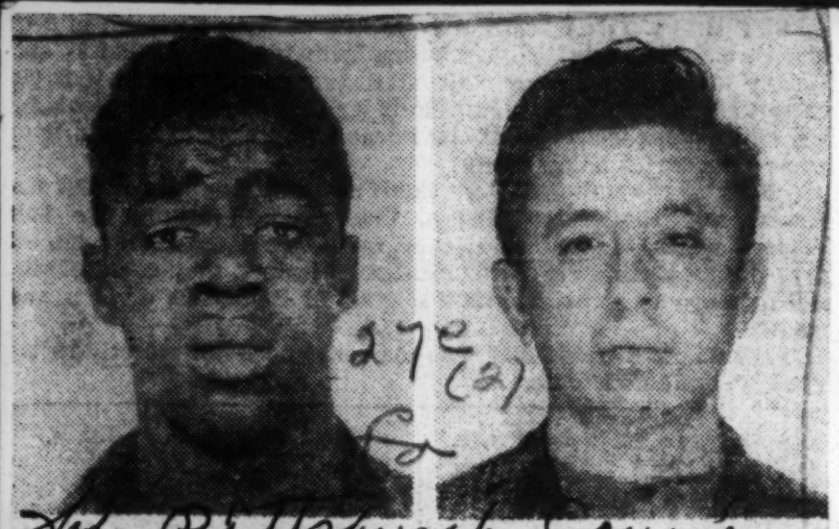
Two rape indictments were returned last week by the Orleans parish grand jury against a white man who allegedly forced two small Negro girls into his automobile at knife point, transported them to a wooded area and raped them.

Executive assistant J. David McNeill was legal advisor to the jury who indicted Rudolph Valle, 27, 4226 Downman Road.

He is specifically charged with the Dec. 2 rape of one of the girls in a wooded area at City Park and the other January 10 in a secluded spot near New Orleans Airport.

Sgts. Sidney Cates, III, and Peter Constantine were the officers who investigated the case and made the arrest at the man's home. They were ably assisted by Ptn's Lester Dyer and Ronald Bachet of the Juneville Bureau.

The indictments were returned in Judge William J. O'Hara's section of criminal district court last Tuesday.



Only Negroes Die!—Isaac Peart, 22, left, and Rudolph Valle, 28, white, both of New Orleans, were charged with the crime of rape. Peart is scheduled to be executed Friday in the state prison at Angola, La., for the 1955 rape of a young white woman. Valle, charged with raping a 9-year-old Negro girl in January, 1960, and a 13-year-old Negro girl in December, 1959, was sentenced last week to 15 years in jail after being allowed to plead guilty to "attempted aggravated rape." Only Negroes die for rape in Louisiana!

15 Years For Attack On Negro Tots

Jury Frees White Officers Charged In Raping Woman

By O. C. W. WALKER

NEW ORLEANS, La. — (ANP)— An all-white, all-male jury here this week freed two white policemen who had been charged with the rape of a Negro mother.

One of the policemen admitted that he had relations with the woman in her auto but said it was of her own free will. The police, two of whom were in uniform and in a squad car, stopped the woman late at night as she was returning from a baby sitting job and told her she was operating her car with parking lights only.

They led her to a secluded spot and the patrolman had relations with her. Another one of the group approached the woman for the same purpose but when he saw her in tears he left her unmolested.

The police were Anthony Saltamachia, Ronald Raymond, regular patrolmen and Peter J. Cakon, an auxiliary policeman.

The woman said she was afraid of the police who were armed and one of them took out his gun and placed it beside the woman on the seat while he had relations with her.

In another instance a 28-year-old white man, Rudolph Valle, was permitted to plead guilty to simple rape and was given a sentence of 15 years for the rape of two Negro children, one 13, the other only nine years old. He had picked them up in his car on separate occasions and taken them to a secluded place.

Friday in Angola, a Negro, Isaac Peart was executed for the rape of a white woman in 1955.

A search of records shows that since 1892 when rape was made a crime by death, only two white men have been executed and these for crimes against white women. In the same time 75 Negroes have been executed for the same crime.

9608

Rape Case Conviction Is Reversed

The Washington Post
Washington, D.C.

The Maryland Court of Appeals has reversed the rape conviction of a Montgomery County Negro because the trial judges did not allow prospective jurors to be questioned about possible racial bias.

The Negro, Gordon Leon Contee, was convicted last December of raping a white woman at knifepoint in a Rockville apartment. He was sentenced to life imprisonment.

Contee's case received wide publicity because a riot call brought about two dozen policemen to the courtroom after the jury returned its verdict.

Set-To in Courtroom

Contee and his half-brother, Melvin W. Smith, struggled with court officials before being subdued. Smith was later convicted of assault.

Contee contended that the 25-year-old woman consented to his advances. He said that he was with her at her invitation. She denied that.

Contee's attorney, James B. Davis, contended in his appeal that two rulings of the trial jurists, Circuit Court Judges Kathryn J. Lawlor and James H. Pugh and the conduct of the prosecuting attorney, Leonard T. Kardy, deprived Contee of a fair trial.

The Court of Appeals, in an opinion by Judge William R. Horney, found it necessary only to decide the point concerning the questions put to prospective jurors.

Court's Contention

The Court went on to imply, however, that Kardy should not have repeatedly referred to "white women" and "white girls" in his questions. The Court also said the trial judges should have told Kardy not to do it.

When the jury was being selected, Contee's attorney submitted eight questions which he wanted the court to ask each juror. Five apparently were intended to establish whether the jurors were prejudiced against Negroes.

The trial judges refused to ask the questions and did not examine the jurors about racial bias. Of this, the Court of Appeals said the questions submitted by Contee's lawyer "appear to be examples of what not to request the court" to ask.

But it said that since Contee's attorney had raised the issue of prejudice, the trial judges were required either to allow the lawyer to re-phrase the questions or to ask about racial bias themselves.

Racial Issue Comment

Since the case must be retried because the judges failed to do this, the Court of Appeals said, it did not have to decide other questions raised in the appeal. But it did comment on the State's Attorney references to the racial issue:

"We point out . . . that the State's Attorney has an obligation to refrain from making any remark within the hearing of the jury which is likely or apt to institgate prejudice against the accused."

While the remarks the prosecutor made may or may not have required a new trial, the Court added, the trial judges are "entrusted with further responsibility to caution or reprimand the State's Attorney as . . . the situation may require . . ."

State's Attorney Kardy said the case will be retried "just as soon as possible." However, the girl Contee is charged with raping now lives in Michigan.

9609

Police Fear Public Wrath At Trial Of Rape Suspects

Montgomery, Ala. Journal 7/3/60

FITCHBURG, Mass. (AP)—The police chief of this small, central Massachusetts city said today he will call in outside police to help maintain order Tuesday at the trial of 10 alleged rapists.

Chief George H. Smith said he would have 75 state and local policemen on hand. The 10 are charged to be part of a group of young men and youths who attacked the daughter of a local businessman and her escort a week ago Friday.

A hungry crowd milled outside the courthouse when the defendants appeared in a preliminary hearing Friday. There were shouts of "lynch them," as the prisoners arrived at the court.

Three of the 13 are juveniles and will face court action separately. Two are Negroes.

Police said the 13 pounced on the girl and her escort at a parking site near a reservoir. As the couple's car drove up, the attackers jumped from four cars, dragged the 20-year-old male escort into the woods and beat him and carried out a gang rape on the girl.

Chief Smith said he has asked local clergymen to urge their parishioners to keep away from the courthouse Tuesday. There is a chance of a large crowd because many industries in the area extend the July 4 weekend into a vacation period.

"However," said the chief, "I will tolerate no interference by the public and any person who interfers or attempts to interfere with the prisoners or the orderly progress of the proceedings will be arrested."

The public has already reacted to the attack on the young couple. A citizen's committee was formed Friday night with the purpose of aiding the police in an expanded protective program for the city and its children. The group has already resolved to aid the chief in his request for more patrolmen and to help keep the law in the hands of public officials.

The young woman involved in the attack was the daughter of one of the town's most respected families. Both she and her escort are still under medical care.

All of the attackers were said to have police records. They have been held in a total bail of $670,000.

9610

Suspects Released In Criminal Assault

Bolivar Victim Looks Them Over, Identifies None

Special to The Commercial Appeal

CLEVELAND, Miss., Feb. 3.—More than 12 suspects arrested in connection with the Tuesday morning criminal assault on a 25-year-old mother of three were released from jail here Wednesday.

Chief of Police W. C. Dempsey and Bolivar County Sheriff Jewell Pace said the victim looked at the suspects, but was unable to identify any of them as the young well-dressed Negro who assaulted her twice in her home east of here before dawn Tuesday morning.

Each of the Negroes had a mustache and each had a gun, the officers said.

The victim, who was suffering from shock Tuesday, was reported improved Wednesday and is staying with neighbors. The home was torn up during the long struggle in which the mother tried to fight off the Negro.

Officers were able to trail the Negro about five miles before the bloodhounds lost the trail. State police have joined local and county officers in the search for the Negro.

Officers indicated Wednesday night they were without any new leads.

Lincoln Man Found Guilty Of Rape

MAGNOLIA, Miss. (Special) — A young pipeline worker faced life in prison today for the rape of an 11-year-old Lincoln county girl.

A Circuit Court jury ruled John Boyd, 29, of Jayess, guilty of rape after 45 minutes deliberation last night, and set penalty at life in prison.

Circuit Judge Tom Brady delayed formally announcing the sentence.

Boyd was accused of raping the child after driving her in his car through Lawrence, Lincoln and Pike counties last Oct. 12.

The victim testified yesterday, pointing out Boyd as her attacker.

Other witnesses yesterday included Dr. Jim C. Barnett of Brookhaven, former sheriff Joe Troy Smith of Lawrence county and former sheriff Carnie Smith of Lincoln county.

They had investigated parts of the crime last fall.

Boyd, father of one daughter, was accused of picking the girl up in Lincoln county, driving with her in his car into Lawrence county and raping her in Pike county.

The case went to the jury at 6:45 and the verdict was reported at 7:30.

Court Hands Off In Assault Case

Rules It Has No Jurisdiction At The Present Time In Lang Incident

By United Press International

JACKSON, Miss., April 18.—The state Supreme Court ruled Monday that it has no jurisdiction at this time in the strange case of Theldor Lang, Laurel Negro twice convicvted of criminally assaulting a white woman.

Lang, a former school teacher, is now in the State Mental Hospital at Whitfield where he has been diagnosed as mentally ill. Monday's ruling means he will be kept there until he is declared sane, at which time he will be returned to Laurel for imposition of a sentence of life imprisonment.

Justice W. N. Ethridge Jr. said the high court had no voice in Lang's case now because the sentence has not been imposed.

Lang's attorney filed a motion that the sentence be set aside on the ground Lang was insane. The lower court declined to set aside its sentence but directed the hospital to return him to Laurel "when and if he regains his sanity for impositon of sentence."

Ethridge Explains

"Without the sentence," Ethridge said, "there can be no final judgment. It is well settled in this state that an appeal cannot be taken from a verdict of the jury without the judgment and sentence of the court having beenrendered."

Lang was first convicted and sentenced to life in 1955 for attacking a young white mother at night in her home. He was arrested one year after the crime when ehe victim spotted him on the street and identified him from a type of perfume he was wearing.

The Supreme Court granted him a new trial after officers in Laurel uncovered new evidence, part of which was finger prints at the scene of the crime belonging to Leroy Moody, a Negro who had pleaded guilty to another criminal assault on a white woman.

Dist. Atty. Grover Doggett who had prosecuted Lang the first time refused to prosecute again and a special district attorney was appointed for the second trial. The state contended that there were two men in the victim's house the night of the crime, one of them standing gcard for the attacker.

Serving Life Term

Moody is now serving life at Parchman State Penitentiary for the criminal assault to which he pleaded guilty.

On Dec. 18, 1958, a jury again found Lang guilty but was unable to agree as to punishment. The court entered a judgment of conviction and sentenced him to life improisonment.

Later defense attorneys submitted the insanity plea. He was diagnosed at Whitfield as suffering from a "schizophrenic reaction, paranoid type." Doctors said they could not determine at what time his mental illness began.

The court handed down the following decisions:

C. M. Frost vs. Gulf Oil Corp., Chancery Jefferson Davis, affirmed.

Bowman Sterling Tighe vs. Lou Frissell Tighe, Chancery Hinds, motion to advance and for supersedeas overruled.

Theldor Lang vs. state, Circuit Jones, motion of state to dismiss appeal and remand case to Circuit Court sustained.

Sam Alman vs. City of Gulfport, motion to advance sustained and cause set for May 9.

Mrs. M. W. (Pauline) Pace vs. Auto Parts Inc. and Zurich Insurance Co., motion to rallowance for attorneys' fees sustained.

Richard Walker ,an inor. vs. state, Chancery Lauderdale, suggestion of error overruled.

Peaslee Gaulbert Paint and Varnish Co. vs. Kermit Lumpin, et al, Circuit Pearl River, affirmed.

Mrs. Pennie Leigh Dandelake Rainwater vs. George H. Rainwater, Chancery Wayne, affirmed.

Mississippi State Highway Commission vs. F. B. Collins, Circuit Jones, affirmed.

William Carl Gaines vs. Hardy F. McCormick, motions for damages, costs, interest and attorneys' fees overruled.

City of Jackson vs. Freeman-Howie, Circuit Hinds, motion to advance sustained and case set for third Monday in May, 1960.

New Trial In Assault Case Denied

GREENVILLE, Miss. (Special) —Three youths convicted of rape were denied a new trial by Circuit Judge Arthur Clark Wednesday afternoon. They had appealed on the basis that a new witness had come forward, after reading news articles about the trial, but the judge disallowed the testimony he presented.

The judge sentenced the three, Billy Huggins, Robert Earl Blade and O'Neal Luke, to life imprisonment. All were under 20 years old.

He also sentenced Jack House to four years on a murder charge, seven prisoners on grand larceny charges, eleven on burglary charges, five on forgery charges, one each on receiving stolen property, arson, mayheim, assault and battery charges.

Freed by a jury Tuesday afternoon was Betty Hall, a Greenville Negro woman accused of slaying another Negro, Luke Rawls in her home last autumn. She contended she shot Rawls while struggling with him after he came into her room to attack her.

Jury Declares Youths Guilty In Rape Case

BULLETIN

GREENVILLE, Miss. (Special) — A Washington County jury hearing the case of three Greenville boys charged with rape today found them guilty as charged but disagreed on their punishment. The jury received the case last night at 7 o'clock.

GREENVILLE, Miss. (Special) — A Washington County Circuit Court jury, after an all-night session, was to return a verdict this morning when court convenes at 9 o'clock in the trial of three Greenville teenagers accused of raping a 19-year-old Mathiston girl last August.

The case went to the jury at 7 o'clock last night.

The youths, Robert Earl Blade, 19, Billy Huggins, 18, and O'Neal Luke, 18, claimed yesterday the girl submitted to them willingly and accepted money. The prosecution rested its case Thursday at 5 o'clock after putting four witnesses on the stand, including the girl, in closed-courtroom testimony. A total of 54 witnesses have been subpoenaed.

Because of the girl's reluctance to testify in open court, Judge Arthur Clark cleared the courtroom of all spectators and newsmen as the trial began Thursday.

The girl reported the alleged attack to her sister and to a neighbor when she returned to her sister's apartment where she was visiting the night of the incident.

Prosecuting lawyers Parham Williams, district attorney, and John Webb, county attorney, are maintaining that the three boys picked up the girl in Greenville and drove her south of town where the rape occured.

The defendants displayed unconcern over the court proceedings and sat chewing gum throughout the trial. The three all testified in their behalf yesterday.

Defense attorneys are E. B. Taylor and Joe Biggers.

CONVICT WHITE MAN OF RAPE OF NEGRO GIRL

GRENADA, Miss. — (UPI) — A married white man was convicted Wednesday of raping a 16-year-old Negro girl, but the trial judge said he doubts the death penalty will be carried out.

L. J. Loden, Jr., 19, was convicted by a jury of 12 white men. Rape carries death penalty in Mississippi, but Circuit Judge Henry Lee Rodgers said, "I know the jury didn't mean the verdict to read that way."

Rodgers said he would pronounce sentence Thursday. He said he expects the jury to recommend life imprisonment for Loden.

Witnesses testified Loden picked the girl up at her house last month on the pretext of hiring her as a maid. They said he drove instead to the country, where he assaulted her.

Sumrall Negro Gets 10-Year Sentence

Guilty Plea To Assault With Intent To Rape

Special To The Commercial Appeal

HATTIESBURG, Miss., July 7.—Lonnie Junior Lee, 23-year-old Sumrall Negro, pleaded guilty Thursday to a charge of assault with intent to rape a white woman and Circuit Judge Stanton Hall handed down the maximum sentence of 10 years.

Lee, accused of attacking 53-year-old Mrs. Sadie Stanley, in the yard of her home north of Hattiesburg, pleaded innocent when arraigned in circuit court Wednesday, but Thursday decided to change his plea.

Lee was arrested three weeks ago, shortly after the attack.

Mrs. Stanley told sheriff's officers the Negro came into her yard and asked for a drink of water, then grabbed her by the arm and threw her onto the ground. She said she yelled at one of her children to "run into the house for my gun," and that this scared the Negro off.

Some white men working in the woods captured him about an hour later.

Loden Convicted In Negro Rape

Jackson Daily News

GRENADA, Miss. (UPI) — A judge said he will allow the jury which convicted a young white man of raping a 16-year-old Negro to change its verdict today to avoid the automatic death penalty.

L. J. Loden Jr., 19, was found guilty by an all-white male jury Wednesday. But Circuit Judge Henry Lee Rodgers said, "I knew the jury didn't mean the verdict to read that way."

Dist. Atty. Chatwin Jackson Jr. waived the death penalty before the verdict, said Rodgers. He declared at least one of the jurors showed confusion over the result of the "guilty as charged" verdict, asking "how long" Loden would have to serve.

Loden is married but has no children.

He, the girl and her mother were the witnesses at the trial called in a surprise move by Rodgers after Loden was indicted Tuesday. Newsmen were allowed but the general public excluded from the trial.

Testimony indicated Loden picked up the girl at her house during June on the pretext of hiring her as a housemaid, Rodgers said, but the youth drove her instead to a secluded spot.

sitting job.

Loden was arrested last month but authorities kept the incident quiet.

"We have been trying to keep this thing quiet because we may be sitting on a keg of dynamite," Sheriff S. L. Davis told a reporter last month.

Loden had been held without bond pending grand jury action in the case. The youth was an unsuccessful candidate for constable here earlier this year.

Youth Found Guilty On Assault Charge

The Commercial Appeal

Judge Delays Sentencing Of L. J. Loden Jr.

Memphis, Tenn.

GRENADA, Miss., July 27.—(UPI) — A Circuit Court jury found L. J. Loden Jr., 19, guilty of criminally assaulting a 16-year-old Negro girl here Wednesday afternoon.

In a surprise move, Circuit Judge Henry Lee Rodgers called the trial Wednesday after Loden was indicted Tuesday. Judge Rodgers will sentence the white youth later. Criminal assault carries the death penalty in Mississippi.

The girl charged Loden assaulted her in his car after he picked her up at her home on the pretext of giving her a baby-

"Guilty As Charged" Until Judge Spoke

Atlanta Daily World

Verdict Altered To Let White Youth Live In Rape Of Child

Atlanta, Ga.

GRENADA, Miss. (UPI)—A white youth convicted of raping a 16-year-old Negro girl has been sentenced to life imprisonment after an all-white jury altered its verdict to eliminate the death penalty.

L. J. Loden, 19 was sentenced by Judge Henry Lee Rodgers for attacking the girl after picking her up at her home on the pretext of hiring her as a maid.

The jury returned a "guilty as charged" verdict after his one day trial Wednesday - a verdict which brings an automatic death penalty. Rodgers recalled the jury to change the penalty Thursday on grounds some members did not realize their first verdict meant death for Loden.

No white person in Mississippi has been executed for raping a Negro in recent years.

They found the defendant, L. J. Loden jr., 19, "guilty as charged" one day. Such a verdict carries an automatic death sentence.

Circuit Court Judge Henry Lee Rodgers recalled the jurors the next day—prior to passing sentence—saying he "knew the jury didn't mean the verdict to read that way."

He told the jury it could modify the verdict on grounds some jurors did not realige the "guilty as charged" verdict made a death sentence mandatory.

Judge Rodgers pointed out that District Attorney Chatwin Jackson jr. waived the death penalty before the verdict. He said one juror showed confusion by asking how long Loden would have to serve.

The jury then added a recommendation for life imprisonment, sparing Loden from execution and making him eligible for parole in 10 years.

Loden, who is married and who as an unsuccessful candidate for constable after listing his age as 21, was charged with raping a 16-year-old girl.

Sheriff S. L. Davis said the girl accused Loden of attacking her in his car after picking her up on pretext of giving her a baby-sitting job.

Mississippi Jury Ordered To Reconsider

The Black Dispatch

Oklahoma City, Okla.

GRENADA, Miss.—(ANP)—A judge here last week ordered an all-white jury which had voted the death penalty for a white youth charged with raping a Negro girl, to modify its verdict and spare the youth's life.

Following instructions, the jury recommended a life jail term, which the judge then decreed.

Judge Over Rules Death Penalty Of White Rapist Of Negro Girl

Louisiana Weekly, New Orleans, La.

Int. 8/13/60

Grenada, Miss.—(ANP)—A judge here last week ordered an all-white jury which had voted the death penalty for a white youth charged with raping a Negro girl to modify its verdict and spare the youth's life.

Following instructions, the jury recommended a life jail term which the judge then decreed.

The jury found the defendant, L. J. Loden, Jr., 19, "guilty as charged" one day. Such a verdict carries an automatic death sentence.

Circuit Court Judge Henry Lee Rodgers recalled the jurors the next day--prior to passing sentence--saying I knew the jury didn't mean the verdict to read that way."

He told the jury it could modify the verdict on grounds some jurors did not realize the "guilty as charged" verdict made a death sentence mandatory.

Judge Rodgers point out that Dist. Atty. Chatwin Jackson, Jr. waived the death penalty before the verdict. He said one juror showed confusion by asking how long Loden would have to serve.

The jury then added a recommendation for life imprisonment, sparing Loden from execution and making him eligible for parole in 10 years.

Loden, who is married and who was an unsuccessful candidate for constable after listing his age as 21, was charged with raping a 16-year-old girl.

Sheriff S. L. Davis said the girl accused Loden of attacking her in his car after picking her up on pretext of giving her a baby-sitting job.

9611

Judge Rules Mobile Native Must Die For Attacking Girl

BOWLING GREEN, Mo. (AP) — Cocky Ward J. Hopkins, alias Ronald Lee Wolfe, Friday was condemned to death in Missouri's gas chamber for raping an eight-year-old Troy girl he lured away from a church picnic with an offer of candy. Hopkins is a native of Mobile, Ala.

Hopkins, 30, bit his lips, and an audible sigh rose from a crowd of about 100 courtroom spectators as Circuit Judge James D. Clemens pronounced sentence.

But as Hopkins was led from the courtroom, he winked at one of the state troopers escorting him back to jail.

Hopkins was convicted by a Circuit Court jury Monday of statutory rape in the incident at nearby Troy Oct. 18. The former convict, just two weeks out of the Atlanta Federal Prison at the time, was captured at Hannibal the following day.

A few days later Hopkins escaped from the Lincoln County jail at Troy and fled in a truck-mounted cement mixer. He later was picked up under an alias in Franklin, N.C., and returned to Troy.

Hopkins was tried under Missouri's habitual criminal act. In such cases the jury is not empowered to recommend a sentence. After the verdict is decided, the judge sets the penalty.

Court records list Hopkins' home as Clarendon, N.Y.

Man Sentenced To Death In Rape

BOWLING GREEN, Mo., March [illegible] — Cocky Ward J. Hopkins, alias Ronald Lee Wolfe, today was condemned to death in Missouri's gas chamber for raping an 8-year-old Troy girl he lured away from a church picnic with an offer of candy.

Hopkins, 30, bit his lips as Circuit Judge James D. Clemens pronounced sentence.

But as Hopkins was led from the courtroom, he winked at one of the State Troopers escorting him back to jail.

Hopkins was convicted by a Circuit Court jury of statutory rape in the incident at nearby Troy Oct. 18. The former convict, just two weeks out of the Atlanta Federal Prison at the time, was

fabrics best suited to a woman's needs and personality — that's what it takes to be well dressed.

This is what some 26 home demonstration agents from District IV heard from Mrs. Janie Scott at a meeting this week in Columbiana.

Mrs. Scott, whose home is in New York, is a fashion authority from a national pattern company.

Chuck Berry Gets Five Years On Moral Charge

ST. LOUIS. — (ANP) — Rock 'n' roll singer Charles (Chuck) Berry, 30, drew the maximum sentence of five years and a $5,000 fine after he was convicted of transporting a 14-year-old Indian girl from El Paso, Texas, to St. Louis for immoral purposes as sentencing was imposed by Judge George H. Moore here recently.

Berry had been held without bond since he was convicted by a federal jury of violating the Mann Act in the case which created considerable publicity because of the singer's prominence in the entertainment field. Berry has recorded several hit tunes, including "Maybelline," "Johnny Be Good," "Sweet Little Sixteen" and "Memphis Tennessee." At one time he earned as much as $115,000 a year.

Sensational Testimony

Berry's conviction followed days of hot testimony, much of which went against Berry. Two witnesses testified they saw Berry in close company with the girl. One, Bob Kearnes, a

bellboy at the Sands hotel in Tucson where Berry and the girl reportedly made one of their several stops said that when he answered a call for food on the night of Dec. 2, Berry met him at the door of the hotel room clad only in his pants. The girl, he said, was in bed but he could not positively identify her.

The other witness was a former member of Berry's own band. He said he knew that Berry and the girl shared the same room on the tour but could not state if any thing went on between them.

Girl's Mad At Him

Meanwhile, it was indicated by the overall testimony that the girl was angry because Berry tried to dump her. She filed charges, she admitted, after Berry dismissed her. She was supposed to have been serving as photography girl and worked at the Club Bandstand in St. Louis for Berry about 10 days. But defense Atty. Merle L. Silverstein called her a common prostitute whom Berry took pity on and hired off the street.

In addition to being convicted for the Mann Act, Berry was indicted but not tried on a similar charge involving a 25-year-old woman.

E. (Chuck) Berry of St. Louis.

Berry was convicted last week of transporting a 14-year-old Indian girl from El Paso, Tex., to St. Louis for immoral purposes.

Moore ordered the 30-year-old Negro singer held without bond. He has been indicted but not tried on another Mann Act charge involving a 25-year-old woman and on a charge of transporting an automatic pistol between states.

Berry served a reformatory term in 1944 in Missori.

The Negro singer was involved in a racial incident in Meridian, Miss., last year while performing at a white high school fraternity dance. He was accused of trying to date a white girl. Berry was held for a short time in a Meridian jail before he was released on bond. He later forfeited bond.

Negro Singer Sentenced In Morals Case

ST. LOUIS (AP) — U.S. Dist. Judge George H. Moore Friday imposed the maximum sentence for a Mann act violation — five years in prison and a $5,000 fine — on rock 'n' roll singer Charles

27e(2) 1960

NEW YORK

9612

Negro executed for rape-slaying [illegible] wife's girl

OSSINING, N. Y., June 24—(AP)—Willard H. Phillips, 44, died last night in Sing Sing Prison's electric chair for the sex-slaying of his ex-wife's eight-year-old daughter.

The convicted Negro rapist walked silently to the chair, his hands pressed together in prayer. He received final spiritual consolation from the Rev. George F. McKinney, Roman Catholic prison chaplain.

Phillips was convicted of the May 12, 1958, slaying of Sunday Graham. The child's mother had divorced Phillips 11 years earlier after he had been sent to Sing Sing for raping a white girl.

[redacted]

[illegible] him a year ago yesterday.

Negro sentenced in New York rape of minister's wife

NEW YORK, Aug. 5—(AP)—A Negro who admitted raping a clergyman's wife in a subway station has been sentenced to 10 to 20 years in prison—the maximum under law.

Anthony Durant, 21, had pleaded guilty to the Feb. 24 rape and robbery of Mrs. Doris Hostetter on a deserted subway station platform in midtown Manhattan.

The victim is the wife of the Rev. Paul V. Hostetter, a Presbyterian minister and officer of his church's board of national missions.

In sentencing Durant yesterday, General Sessions Judge Irwin D. Davidson said: "I don't know whether this defendant is entitled to too much mercy."

27e(2) 1960

NEW YORK

9613

Negroes Get Short Terms For Assault

NEW YORK, Jan. 19 (UPI)—Four young Negroes were sentenced to reformatory terms today for an attack on a white girl last June.

The youths pleaded guilty Nov. 17 to a charge of felonious assault with intent to commit rape in the attack on the 14-year-old girl at a junior high school in the Corona section of Queens.

The four, each sentenced to 2½ to five years in the Elmira Reception Center, are Jacob F. Bethea, 17, and Henry C. Stokes, both auto mechanics; Edward Jacobs, 18, a student; and John P. Rich, 16, a radio-TV mechanic.

Four Accused In Rape Given Assault Term

NEW YORK (AP)—Four Negro teen-agers, accused of raping a 14-year-old white girl, were sentenced Tuesday to reformatory terms of 2½ to 5 years on pleas of guilty to a lesser charge.

They had pleaded guilty Nov. 17 to a charge of felonious assault with intent to commit rape, thus assuring themselves of a sentence no longer than five years.

Conviction of rape carries a maximum penalty of 20 years in prison.

The pleas were entered as they were about to go on trial for the June 18 attack on Elvira Negri, an eighth-grader who said she was seized in her schoolyard in the highly integrated Corona section of Queens.

Asst. Dist. Atty. Anthony J. Di Paola had recommended acceptance of the plea to the lesser charge. He said "this was not a typically vicious attack. . .the victim was on a social basis with the defendants before the attack."

In a preliminary hearing last June, Miss Negri admitted kissing and hugging with one of the defeadants, Jacob P. Bethea Jr., 17, a few days before the attack. She testified she had promised him later intimacies, without intending to keep her promise.

The others sentenced are Henry C. Stokes, 16, Edward Jacobs, 12, and John P. Rich, 15.

Judge Gives Negro Rapist 110 Years

NEW YORK (AP) — A Brooklyn judge Thursday called a convicted rapist a "beast masquerading in man's clothing" and then sentenced him to prison terms that could total 110 years.

Kings County Judge John R. Starkey called the case the most revolting he had ever heard as a judge, attorney or citizen.

An all-male jury had convicted Dwight Tippins, 25, last month of rape, attempted rape, sodomy, robbery, abduction, kidnaping and grand larceny in a case involving two white girls.

An accomplice, Willie Walker, 22, also of Brooklyn, received a 5 to 10 year sentence for getting into a car he knew was stolen.

Both men, Negroes, were accused of kidnaping last Dec. 3 at knifepoint the two girls, aged 16 and 20, who had been waiting for relatives in front of a Brooklyn hospital. The girls were driven in a stolen car to a remote spot where Tippins allegedly raped the older one and attempted to rape the younger.

Judge Starkey ruled that the sentences on all convictions except kidnaping and abduction should run consecutively. They total 55 to 110 years.

In addition, Tippins was sentenced to from 50 years to life on each of two counts of kidnaping and from 5 to 10 years on each of three counts of abduction. These sentences, however, will run concurrently.

N. Y. Rapist Called 'Beast', Gets 110 Years

NEW YORK (AP) — A Brooklyn judge Thursday called a convicted rapist a "beast masquerading in man's clothing" and then sentenced him to prison terms that could total 110 years.

Kings County Judge John R. Starkey called the case the most revolting he had ever heard as a judge, attorney or citizen.

An all-male jury had convicted Dwight Tippins, 25, last month of rape, attempted rape, sodomy, and grand larceny in a case involving two white girls.

An accomplice, Willie Walker, 22, also of Brooklyn, received a 5 to 10 year sentence for getting into a car he knew was stolen.

Both men, Negroes, were accused of kidnaping last Dec. 3 at knifepoint the two girls, aged 16 and 20, who had been waiting for relatives in front of a Brooklyn hospital. The girls were driven in a stolen car to a remote spot where Tippins allegedly raped the older one and attempted to rape the younger.

Judge Starkey ruled that the sentences on all convictions except kidnaping and abduction should run consecutively. They total 55 to 110 years.

In addition, Tippins was sentenced to from 50 years to life on each of two counts of kidnaping and from 5 to 10 years on each of three counts of abduction. These sentences, however, will run concurrently.

Four Accused In Rape Given Assault Term

NEW YORK (AP)—Four Negro teen-agers, accused of raping a 14-year-old white girl, were sentenced Tuesday to reformatory terms of 2½ to 5 years on pleas of guilty to a lesser charge.

They had pleaded guilty Nov. 17 to a charge of felonious assault with intent to commit rape, thus assuring themselves of a sentence no longer than five years.

Conviction of rape carries a maximum penalty of 20 years in prison.

The pleas were entered as they were about to go on trial for the June 18 attack on Elvira Negri, an eighth-grader who said she was seized in her schoolyard in the highly integrated Corona section of Queens.

Asst. Dist. Atty. Anthony J. Di Paola had recommended acceptance of the plea to the lesser charge. He said "this was not a typically vicious attack. . .the victim was on a social basis with the defendants before the attack."

In a preliminary hearing last June, Miss Negri admitted kissing and hugging with one of the defeadants, Jacob P. Bethea Jr., 17, a few days before the attack. She testified she had promised him later intimacies, without intending to keep her promise.

The others sentenced are Henry C. Stokes, 16, Edward Jacobs, 12, and John P. Rich, 15.

Negro executed for rape-slaying of ex-wife's girl

OSSINING, N. Y., June 24—(AP)—Willard H. Phillips, 44, died last night in Sing Sing Prison's electric chair for the sex-slaying of his ex-wife's eight-year-old daughter.

The convicted Negro rapist walked silently to the chair, his hands pressed together in prayer. He received final spiritual consolation from the Rev. George F. McKinney, Roman Catholic prison chaplain.

Phillips was convicted of the May 12, 1958, slaying of Sunday Graham. The child's mother had divorced Phillips 11 years earlier after he had been sent to Sing Sing for raping a white girl.

Phillips picked up the Negro girl as she was returning from parochial school in Garden City, N. Y. After raping her, he strangled her with the plastic belt from her school uniform.

During the 20 months he spent in the death house, Phillips had but one visitor—a son, Willis, who saw him a year ago yesterday.

NORTH CAROLINA

9614

27e(2) 1960

Raleigh Boy, 15, Gets Life Term

The Negro Observer
Raleigh, N.C.

A 15-year-old Raleigh Negro was sentenced Monday to life in prison for raping a nine-year-old Negro girl. Tues. 6/14/60

Charles DeVaughn Hunter of 847 Coleman St., a student at Ligon Junior-Senior High School, pleaded guilty in Wake Superior Court. p. 23

He was charged with assaulting Betty Jean Cobb on the afternoon of May 23. 27e(2)

The Cobb girl testified that she was on her way home from school when Hunter asked her if she would help him bandage his sore leg.

She said he took her to a wooded area near the WRAL tower where he assaulted her.

District Solicitor L. V. Chalmers Jr. told Judge Hamilton H. Hobgood that he accepted the guilty plea because of the Hunter boy's age and because the attack was not vicious "in the sense that he didn't beat or threaten to kill her if she didn't submit."

CHARLES DEVAUGHN HUNTER.

The Hunter youth had no previous record, Chalmers told the court. Herman L. Taylor served as Hunter's attorney.

9615

Holly Hill Negro Executed In State's Electric Chair

The News and Courier
Charleston, S.C.

COLUMBIA (AP) — Robert (Bozo) Johnson, his body unclaimed by relatives, was buried in the prison cemetery Friday, a few hours after South Carolina took his life in the electric chair.

The 29-year-old Holly Hill area Negro, convicted of the attempted rape of a 58-year-old white spinister, died with dignity.

Shortly before his 7 a. m. date with the lethal chair, he told Prison Chaplain Harold R. Wells:

"I have committed a crime and now I'm willing to pay for it. My soul is ready and I'm sure the Lord will have mercy on me."

More than 40 spectators were present for the execution, the 234th since the electric chair was installed at the state prison here. Johnson was the first to be executed in South Carolina in nearly three years.

At 7:03 a. m., the slender Orangeburg County resident entered the execution chamber.

Asked if he had a final statement before being strapped in to the chair, he replied softly "No sir, I haven't."

A 2,400-volt charge of electricity was sent coursing through his frame. He was pronounced dead at 7:11 a. m.

Johnson had asked the chaplain to tell about 10 other convicts under sentence of death "If they prepare to meet their Lord, it will be much easier to go that way."

Johnson was convicted last July of coming to the home of the white woman at about 10 p. m. under the pretext of purchasing eggs from her.

It was testified he dragged her from the house to a dark area nearby, but was frightened off when her screams attracted Negro residents nearby.

An appeal to the State Supreme Court last fall was unsuccessful. His case was never taken to the U.S. Supreme Court.

White Man Held In Rape Of Negro Girl Found Sane

The News and Courier
Charleston, S.C.

MANNING, S.C. (AP) — A white man accused of raping a teenaged Negro girl under the pretense of hiring her as a baby sitter is back in jail here.

Amos Franklin Baker, 28, of Oswego was returned from the State Hospital in Columbia Friday. Officials announced Saturday the hospital found him "not insane" and free of "mental illness."

Court officers said Baker will face a Clarendon County grand jury at a term of court opening here Sept. 12.

The girl, who lives at Summerton, and is 14, told officers the man came looking for a baby sitter. He paid her $2 to go to his house. But when they got out on the highway in his car, the girl said, he drove off on a side road and assaulted her.

Later he put her out on a road near her home, she related, and she copied the license number with her finger in the dirt of the road.

The car tag number led officers to Baker.

At a preliminary hearing here in the mid-June case, the girl's mother broke into tears when officials ordered Baker to Columbia for the 30 day mental examination. She thought he was being turned free. Officers finally were able to explain the matter to her and she calmed down.

White Man Indicted In Rape Of Negro

News and Courier
Charleston
Tues. 9-13-60

MANNING (AP) — A white man charged with raping a 14-year-old Negro girl was indicted by State Circuit Court grand jury here Monday. He denies the charges.

The indictment against Amos Franklin Baker, 28, of Oswego in adjoining Sumter County, accuses him of statutory rape of the girl who says he got her in his car on a pretense of hiring her as a baby sitter.

Baker has been cleared by the State Hospital at Columbia as sane, and Solicitor R. Kirk McLeod indicated he would try to call up Baker's trial at this week's term of General Session Court.

The girl told officers she was hired for $2 to baby sit. She says Baker drove her outside Summerton, her home town, and attacked her after threatening to kill her. She said she was put out of the car on a dirt road near her home and copied the car license number down with a stick in the dirt of the road. The number led to Baker's arrest. Charges were placed against him when she picked him out of a seven-man police lineup.

9616

Death Verdict In Attack Case

Jury Rules Electric Chair For Clayton Dawson On Assault Charge

By NEIL SANDERS

An all-male, all-white Criminal Court jury found Negro Clayton Dawson guilty of criminal assault yesterday and set death in the electric chair as his punishment.

The jury returned the verdict against the South Memphis rapist at 3:15 p.m. after deliberating an hour and 25 minutes. The defendant bowed his head, but showed no other sign of emotion when the foreman read the verdict.

Defense 'Surprised'

Dawson was tried on charges of assaulting a Negro mother and her young daughter last year.

Hearing on a motion for a new trial was set for May 27 by Judge Sam Campbell.

Attorney James Sanderson, who served as defense counsel with Public Defender Hugh Stanton Sr., said he was "very surprised at the outcome." He said proof presented by Asst. Attys. Gen. Robert Dwyer and Robert Drewry in the 5-day trial "looked mighty shaky."

During the defense argument yesterday morning, Mr. Sanderson accused the prosecution of scattergun tactics for bringing in "prior offenses (rape cases), some of which the defendant had never been charged with."

Police say Dawson has been identified by 14 white and Negro women as the "foul-smelling" burglar-rapist who broke into their homes in South Memphis last year.

Other Cases Pend

Mr. Stanton told the jury yesterday that identification of the defendant by the women "was very bad in every single case."

The state asked the death penalty, but the jury could have fixed punishment at as little as 10 years instead of the maximum.

Mr. Sanderson said there are 12 other indictments pending against Dawson, "but in the face of the sentence he won't go to trial on these until the appeal to the state Supreme Court is heard." The conviction would be appealed directly to the Supreme Court if Judge Campbell turns down the motion for a new trial.

All-White Jury Fixes Punishment

4 Negroes to Die in Tennessee

Assault

CHATTANOOGA, Tenn. — (AP) — Four Negroes heard the sentence of death by electrocution passed upon them after a jury of 12 white men convicted them of raping a young white girl.

Robert Parks, 23; J. C. Kelley, 17; Wilson Williams, 17; and James Cunningham, 22, stood quietly as the sentences were read. Parks suddenly began weeping and pulled out a handkerchief to wipe his eyes.

Punishment, as provided by Tennessee law, was fixed by the jury, with Criminal Court Judge Campbell Carden passing sentence. The judge said he would set a date for the electrocution later.

Defense attorneys were given 30 days in which to file motion for a new trial. Negro Attorney Adolpho Birch, defending all but Cunningham, indicated to reporters that such a motion would be filed.

The four Negroes were convicted of raping the 17-year-old girl Aug. 4 as she and a boy friend were parked in a lovers' lane.

The boy and girl testified that the Negroes took turns holding the boy while she was raped. In the trial both identified Parks, but said they could not make positive identification of the others.

Two police officers testified that three of the Negroes told of having been intimate with the girl.

The defense, in its closing arguments, never asked the jury flatly to acquit the defendants, but dealt mainly with the plea that capital punishment not be inflicted. No defense testimony was introduced.

27e(2) 1960

TENNESSEE

9617

NEGRO GIVEN DEATH FOR DOZEN RAPES

MEMPHIS (AP) — A Negro accused of raping a dozen women in south Memphis last year has been sentenced to die in the electric chair.

Clayton Dawson, convicted of assaulting a Negro woman and her daughter and charged with attacks on others, both white and Negro, was denied a new trial.

However, Criminal Court Judge Sam Campbell granted Dawson's appeal to seek reversal of the jury verdict before the State Supreme Court.

27e(2) 1960

TEXAS

9618

Decision Promised Before 18th

White Educator Deplores Davis Sentence At Hearing

By ARTHUR DeWITTY
(Staff Writer)

AUSTIN — The Pardons and Paroles Board heard the pleas of 12 Angleton citizens Wednesday in behalf of Albert Davis, sentenced to die for rape. The 17-year-old Negro youth [illegible] the time of the offense was tried in a district court in Brazoria county, and given the death penalty for forcible rape of a 17-year-old white girl, along with a 17-year-old white youth, Alfred Fritz, who received life sentence for the same identical crime, despite the contention that Davis had steadfastly contended that he was innocent and never did take part in the rape case as presented.

Those who came to Austin Wednesday to seek the commutation of sentence were Davis' wife, Mrs Ida Davis; the mother of Albert Davis; Rev. S. M. Jefferson, a Houston pastor of the Pilgrim Baptist church; Attorney Henry E. Doyle, Glenn Lee, editor of the daily newspaper in Angleton; John Ed, white school principal and his wife; Mrs Barbara Harrien, wife of a deputy sheriff; Attorney Wiley Thompson and his law partner; Lee Roy Key, representing Albert Davis; Atty O. G. Wellborn and Neal Caldwell, state representative from that area. A telegram came from former State Senator Jimmy Phillips; together with letters from the District Attorney, the Sheriff's office, and Judge G. P. Harris, recommending commutation of sentence.

Attorney Henry E. Doyle was the attorney at the time of Davis' trial. He retold vividly the legal procedure of the case and the filing of various motions for a new trial on the basis that errors in procedure were made. The case came before the Court of Criminal Appeals here in Austin, from there to the Texas Supreme Court, thence to the U. S. Supreme Court. Davis' sentence was confirmed.

The most touching witness that appeared during the afternoon was the principal of the white school, John Glenn. He said:

"I am responsible for the teaching of Americanism, but I have nothing with which to teach it,—no textbooks as such and nothing else. But if Davis dies, I will never feel well about it. The disparity of justice is too great for the same offense. I cannot understand in my own mind how different courts, and different juries, can give two separate sentences for the same identical crime. I just never will understand this."

Negro rapist dies in Texas

HUNTSVILLE, Tex., March 5—(AP)—A Negro convicted of raping a white girl in 1954 died in the state prison electric chair early Saturday.

He was Junior Lee Williams, 33, of Bay City, Tex., who protested a few hours before his death that he was being executed for a crime he did not commit.

Williams told a newsman Friday:

"I don't know what happened.

Blond ex-con draws 25 years in attack on Texas teenager

AUSTIN, Texas — A 30-year-old blond, who was sentenced to eight years in prison in 1950 on a charge of attempted rape, last week was given a 25-year term on a charge of attempted rape of an 18-year-old colored girl.

Clement A. Baker was found guilty of assault with intent to rape the teenager on Feb. 26.

The victim's brother, 21-year-old Sammy Holmes, is slated to die in the electric chair June 15 for the Jan., 1959, rape of a 56-year-old white woman.

Texas Negro dies for rape of girl

HUNTSVILLE, Tex., July 15—(AP)—Willie Edward Philpot, a Dallas Negro who raped and killed a 10-year-old Negro girl, died in the electric chair at state prison today.

Philpot, 30, was convicted of the rape and murder of Joyce Goffnear Longview Jan. 30, 1959.

He also confessed that he threw Mrs. Janis Hunter, 25, to her death from a Dallas hotel and tried to kill Mrs. Trella Joy Carter, in a Dallas office building.

"I had no reason to kill," he said in an interview shortly before his execution.

Defendant Had Legal Aid Of Lieutenant Governor

SAN AUGUSTINE — Ben Ramsey, lieutenant governor who acts as governor of Texas, when Gov Price Daniel is outside of the state, served here last week as part of the defense counsel for Hugh Sparks, 37-year-old white man charged with killing his teen-age Negro babysitter.

Ramsey, the second highest official in the state of Texas, and his brother, Smith Ramsey, were members of the counsel for defense.

Sparks faced two murder counts by auto in the New Year's Day death of 14-year-old Bobbie Jean Ligon, his babysitter.

District Atty William Carroll, at one of the tense points during the trial, aimed glaring criticism at the state official, charging him with using his power, while Gov. Price Daniel was out of the state, to secure information about the findings from the state labortaory, concerning the matching of hair found on Spark's car and the hair of the dead girl.

A Houston daily paper reporter questioned Rasmey on the wisdom of defending some one whom the state is prosecuting and Ramsey replied:

"There is nothing to keep me from working in a sawmill all day and it's no different for me to practice law if I want to."

White Man Gets Suspended Sentence In Death Of Negro Girl Baby Sitter

The Informer Houston Tex.

Sat. 8/6/60

How A White Daily Covered The Gruesome Death Of Child

(Editors Note: With permission of the Houston Press white Houston daily, we reproduce in entirety, the paper's coverage of the following story. Cause for use of the Press story is self explanatory.)

SAN AUGUSTINE, July 23—Hugh Sparks, his balding head bowed but his scandal — that shocked this friendly littly city to its roots last New Year's—legally behind him, walked the streets of San Augustine today as a virually free man.

A jury before District Judge O'Neal Bacon at 5:30 p m yesterday announced Sparks guilty of murder by auto without malice — in the death of his family's 15-year-old baby sitter Bobby Jean Ligon, a Negro girl.

The 12-man jury recommended a five-year suspended sentence over the protests of fiery young District Atty. William (Bill) Carroll and the judge followed it.

Under the law, it was mandatory that Judge Bacon follow the recommendation of the jury.

Sparks, prominent 39- year-old insurance broker and his pretty brown-haired wife heard the verdict with little emotion. Then they walked out of the courtroom among a small knot of friends to go home to their two children.

RAMSEY'S PLEA

Lt. Governor Ben Ramsey, Sparks' attorney, pleaded for a not guilty decision on the two charges against his client-murder by auto. He asked at most that the jury urge a suspended sentence if it considered Sparks guilty of murder by auto.

Sparks was acquitted on the murder with malice charge.

But Carroll, handsome 1957 graduate of the University of Texas, argued with equal vigor that:

"It is not a proper case for a suspended sentence. The crime was too terrible. I ask Sparks be sent to the penitentary for a period of years that would in some measure be appropriate for the nature of the crime."

Ramsey—dubbed the "Old Fox" here-argued the prosecution "did not present one iota of evidence against the defendant."

But Carroll told the jury that "if there weren't one iota of evidence against the defendan he girl would be alive today.

He charged that Ramsey did not argue against facts presented in the case. He said to the jury:

"When you leave law school they tell you that when your case is strong on the facts you argue the facts, when it is strong on the law, you argue the law.

"But if your case isn't strong on the facts or the law, you just argue as loud as you can. That is what Mr Ramsey does."

The lieutenant governor could not be reached today. Sparks who had no comment on the verdict in court, had his phone disconntcted. He remained grim and tight- lipped throughout the trial his fingers alternately forming a pyramid against his lips and nervously strumming his table.

Sparks was coatless throughout the trial.

Sparks was charged with having let the girl out of his green and white Pontiac on a lonely road while taking her home from baby sitting, then running over her twice to mangle her body. She was found hours later.

CALLED DRUNK

Witnesses testified Sparks was drunk. But no testimony was introduced to show he planned murder.

The district attorney was asked today for a statement on the jury's verdict given 93 minutes after they retired.

He shook his head and said: "I'm going home to mow my lawn."

The jurors who freed Spark with the suspended sentenc were:

RAYMOND LOFTEN
HUGH POWELL
ERNEST MIXON
CAROL J OACHIMA
HAMP BUTLER
D C WILEY
J H BUSBOE
SPORT ZIEGLER
D C WILEY
I H BUSHOE
I B MOTT
WESLEY FORHEE
LAWRENCE THORNTON
EDWARD SHEFFIELD

27f 1960

9619

INVITATION FOR AN ANTI-LYNCH LAW

The Christian Science Monitor

A federal grand jury of Mississippi citizens now has found no cause for prosecution in the case of Mack Charles Parker, Negro lynch victim.

But two things are beyond dispute in the Parker case:

1. He was lynched.
2. No one has been apprehended or convicted for that barbarous crime.

Previously, lynching had been dying out in the South. But because the Parker case is so blatantly being left unsolved, may have an effect on public opinion like that of the Lindbergh kidnap case, which forced federal intervention in a field previously reserved to the states.

If so, a local description of the federal grand jury action as a "triumph for Mississippi justice" may turn ironic should the "triumph" help push civil rights legislation or an anti-lynch law through Congress.

Beyond the two unavoidable facts stated above, the public record in the case is blurred. At the core of the mystery lies a complete FBI report on the case—a report spurned by a county judge and grand jury and left effectively suppressed by the refusal of a second grand jury to take action.

This very lack of action makes the FBI document a likely (and legitimate) source of information for any congressional committee studying ways of constructing a loophole-free anti-lynch law.

We believe it is preferable for communities—North or South—to govern themselves. But we also believe that responsible citizens in those communities do not wish to stand before the world as supporters of lynch law.

When a town such as Poplarville, Miss. proves itself unwilling or unable to prevent or punish lynching, some new legal power at a higher level of government is needed.

The grand jury action in Biloxi is a clear invitation for Congress to devise a federal anti-lynching law.—*Christian Science Monitor.*

Justice Agency Questions Bill On Anti-Lynching

The Montgomery Advertiser

Montgomery Ala

WASHINGTON (AP) — The Justice Department Monday questioned the constitutionality of an anti-lynching bill introduced by Sen. Philip A. Hart (D-Mich). The department has taken the same attitude toward similar proposals in the past.

However, the department suggests Congress might want to look into increasing the penalties for violating existing civil rights statutes dealing with conspiracies to deprive a person of a right guaranteed by the Constitution where serious injury or death results.

The department for many years has taken the position that if the federal government is to be projected into the lynching field, it should be done by a constitutional amendment rather then by simple statute.

STATED VIEWS

Deputy Atty. Gen. Lawrence E. Walsh stated the department's views on the Hart Bill in response to a request from Chairman Eastland (D-Miss) of the Senate Judiciary Committee. The bill proposes federal penalties up to 20 years imprisonment and $10,000 fine for conspiracies between two or more persons to kill or seriously injur another.

Walsh wrote Eastland that this bill "is subject to the same well-recognized constitutional objections pointed out by Atty. Gen. Herbert Brownell, when he testified on similar bills in 1957.

Brownell said then that "serious constitutional objections have been raised by responsible authorities to such an extention of federal power over private citizens."

LAW ENFORCEMENT

He asserted that there are probably thousands of cases "North and South" every year involving violence where it could be charged that two or more persons has conspired on the matter. Brownell said the FBI would have to investigate each such case and added:

"Such federal interference with local law enforcement would, I fear, greatly exacerbate federal and state relations throughout the country."

Brownell also expressed the view that if federal authority moved in continually as a matter of routine, some local communities might feel they had been relieved of responsibility in connection with local violence.

MAXIMUM PENALTIES

Walsh called attention to the fact that maximum penalties under present civil rights laws are only 10 years imprisonment and $5,000 fine and said the committee might wish to consider increasing the penalties in cases involving serious injury or death.

Current anti-lynching proposals stem from the mob-killing of Mack Charles Parker, Negro prisoner at Poplarville, Miss., last April.

A local grand jury refused to consider a lengthy report on an FBI investigation in which suspects were named. Later, the case was put before a federal grand jury, but no indictments were returned.

Since the 10th Century, the Free City of Danzing on the Baltic has been alternately occupied by the Poles, Germans, Russians and once under League of Nations supervision.

Keating to Introduce Anti-Lynching Bill

The Washington Post

Washington, D.C.

By Warren Duffee

United Press International

The Senate opens its election-year civil rights battle today with a warning from Sen. Kenneth B. Keating (R-N.Y.) that he plans to toss a tough new anti-lynching bill into the already bitter fray.

Keating, a sponsor of the Administration's seven-point civil rights measure, said yesterday he would introduce an "additional package." Other Senators also were primed to push various proposals that have lain dormant since last year.

Keating said his legislation would provide for a possible death penalty in lynching cases and set up "administrative as well as judicial remedies to protect voting rights."

He also said on a New York State television program that it would "give the Attorney General authority to bring civil actions in all cases involving a denial of the equal protection of the laws and not just in voting cases."

By long standing agreement, the Senate will open formal debate on civil rights legislation today after disposing of a pending tobacco bill and a compromise House-Senate measure on water pollution.

Senate Democratic Leader Lyndon B. Johnson (Tex.) had hoped to have a House-passed bill to bring up, but the House failed to act. The House Rules Committee resumes hearings Tuesday on a long bottled-up bill.

Faced with this situation, Johnson was expected to bring before the Senate a minor House-approved measure, possibly one celebrating the founding of land grant colleges. It will serve as a vehicle to which civil rights sponsors can offer a variety of amendments.

That will be the signal for Southern Senators to launch what could turn into a determined talkathon against enactment of any bill this year. Sen. Richard B. Russell (D-Ga.) served notice Saturday that they would use every means to compel "orderly procedure."

While the Senate held the center of the stage, the House also was in line for its share of civil rights skirmishing.

Northern Democrats will make an all-out effort during the week to get the final signatures they need on a discharge petition to force the House rights bill out of the reluctant Rules Committee.

Committee Chairman Howard W. Smith (D-Va.) has promised not to delay the hearings unduly. But the Northern Democrats want their discharge petition handy in case it is needed to expedite floor action.

The House Judiciary Committee will open hearings Tuesday on the Administration's proposal for Federal voting referees to guarantee Negro voting rights.

Anti-Lynch Bill Is Questioned As To Legality

Justice Department Says Constitutional Point Is Involved

WASHINGTON (AP)—The Justice Department Monday questioned the constitutionality of an anti-lynchburg bill introduced by Sen. Philip A. Hart (D-Mitch). The department has taken the same attitude toward similar proposals in the past.

However, the department suggested Congress might want to look into increasing the penalties for violating existing civil rights statutes dealing with conspiracies to deprive a person of a right guaranteed by the Constitution where serious injury or death results.

The department for many years has taken the position that if the federal government is to be projected into the lynching field, it should be done by a constitutional amendment rather than by simple statute.

Dep. Atty. Gen. Lawrence E. Walsh stated the department's views on the Hart bill in response to a request from Chairman Eastland (D-Miss) of the Senate Judiciary Committee. The bill proposes federal penalties up to 20 years imprisonment and $10,000 fine for conspiracies between two or more persons to kill or seriously injure another.

Walsh wrote Eastland that this bill "is subject to the same well-recognized constitutional objections pointed out by Atty. Gen. Herbert Brownell, when he testified on similar bills in 1957.

Brownell said then that "serious constitutional objections have been raised by responsible authorities to such an extention of federal power over private citizens."

He asserted that there are probably thousands of cases "North and South" every year involving violence where it could be charged that two or more persons has conspired on the matter. Brownell said the FBI would have to investigate each such case and added:

"Such federal interference with local law enforcement would, I fear, greatly exacerbate federal and state relations throughout the country."

Rights Bill Battle Set In Senate

Anti-Lynching Measure to Be Thrown into Fray

WASHINGTON, Feb. 14 (UPI)—The Senate opens its election-year civil rights battle tomorrow with a warning from Sen. Kenneth B. Keating (R-NY) that he plans to toss a tough new anti-lynching bill into the already bitter fray.

Keating, a sponsor of the administration's seven-point civil rights measure, said today he would introduce an additional package. Other senators also are primed to push various proposals that have lain dormant since last year.

Keating said his legislation would provide for a possible death penalty in lynching cases and set up administrative as well as judicial remedies to protect voting rights.

Civil Actions

He also said on a television program that it would "give the attorney general authority to bring civil actions in all cases involving a denial of the equal protection of the laws and not just in voting cases."

By long-standing agreement, the Senate will open formal debate on civil rights legislation tomorrow after disposing of a pending tobacco bill and a compromise House-Senate measure on water pollution.

An editorial discussing the civil rights battle is on Page 6.

Senate Democratic Leader Lyndon B. Johnson (Tex) had hoped to have a House-passed bill to bring up, but the House failed to act. The House Rules Committee resumes hearings Tuesday on a long bottled-up bill.

Faced with this situation, Johnson is expected to bring before the Senate a minor House-approved measure, possibly one celebrating the founding of land grant colleges. It will serve as a vehicle to which civil rights sponsors can offer a variety of amendments.

Will Be Signal

That will be the signal for Southern senators to launch what could turn into a determined talkathon against enactment of any bill this year. Sen. Richard B. Russell (D-Ga) served notice yesterday that they would use every means to compel "orderly procedure."

While the Senate holds the center of the stage, the House also is in line for its share of civil rights skirmishing.

Northern Democrats will make an all-out effort during the week to get the final signatures they need on a discharge petition to force the House rights bill out of the reluctant Rules Committee.

Committee Chairman Howard W. Smith (D-Va) has promised not to delay the hearings unduly. But the Northern Democrats want their discharge petition handy in case it is needed to expedite floor action.

In a further development, the House Judiciary Committee opens hearings Tuesday on the administration's proposal for federal voting referees to guarantee Negro voting rights.

Eastland Urges Assault Statute Appeal

Wants Criminal Attack Made Federal Crime—North's Big Cities Cited

From The Commercial Appeal Washington Bureau

WASHINGTON, Feb. 19.—Senator James Eastland (D-Miss) announced Friday he will offer an amendment to a pending anti-lynching bill to make rape a Federal crime.

The anti-lynching bill, introduced earlier this week by Senator Kenneth Keating (R., N. Y.) was offered on grounds that the failure of local authorities to prosecute in the Charles Mack Parker case in Mississippi illustrates a breakdown in local and state government that justifies Federal intervention.

Cases Increasing

Senator Eastland said the increasing number of rape cases in big Northern cities points up a breakdown in local and state government in these areas.

And he said if there is justification for Federal intervention in the exceedingly small number of lynchings that occur in the nation, certainly there is justification for Federal jurisdiction in the far more frequent crime of rape.

He said that in ever increasing areas of the big cities, including the nation's capital, women are afraid to venture upon the streets at night.

Plans Senate Speech

He said he will deal with the situation at greater length in a Senate speech when he introduces his amendment.

He said he will point out that in Washington women voluntarily are contributing money to help train policemen to train and handle German police dogs to assist in patrolling Washington's streets.

Old Rule Cited In Lynch Cases, Up To States

WASHINGTON (UPI)—A deputy attorney general has written Sen. James O. Eastland (D-Miss) that anti-lynching bills proposed by several congressmen have serious constitutional defects.

Lawrence E. Walsh suggested that Congress would do better to attack the problem by providing stiffer penalties for violation of two Reconstruction era criminal statutes under which the government has attempted to prosecute in the Mack Charles Parker case.

DEPARTMENT'S VIEWS

Walsh expressed the Justice Department's views in a letter to Eastland, chairman of the Senate Judiciary Committee. Eastland had specifically requested an opinion of a bill introduced by Sen. Philip A. Hart (D-Mich.) which would make lynching a federal crime where a death or serious injury was involved.

In response, Walsh referred Eastland to 1956 and 1957 testimony by Atty. Gen. Herbert Brownell on the federal lynch bills.

Walsh said Hart's bill was "subject to the same well recognized constitutional objections" raised by Brownell at the time.

Brownell contended that prosecution for murders or abductions is a state responsibility. He said the federal government could acquire authority to step into such cases only through a constitutional amendment.

Justice Department Spokesman Says Anti-Lynch Law Unconstitutional

Washington, D. C., Feb. 16—A deputy attorney general has written Sen. James O. Eastland (D-Miss.) that anti-lynching bills proposed by several congressmen have serious constitutional defects.

Lawrence E. Walsh suggested that Congress would do better to attack the problem by providing stiffer penalties for violation of two Reconstruction era criminal statutes under which the government has attempted to prosecute in the Mack Charles Parker case.

Walsh expressed the Justice Department's views in a letter to Eastland, chairman of the Senate Judiciary Committee. Eastland had specifically requested an opinion of a bill introduced by Sen. Philip A. Hart (D-Mich.) which would make lynching a federal crime where a death or serious injury was involved.

In response, Walsh referred Eastland to 1956 and 1957 testimony by Atty. Gen. Herbert Brownell on the federal lynch bills.

Walsh said Hart's bill was "subject to the same well recognized constitutional objections" raised by Brownell at the time.

Brownell contended that prosecution for murders or abductions is a state responsibility. He said the federal government could acquire authority to step into such cases only through a constitutional amendment.

9621

Lifer, once near mob victim, paroled after serving 16 years

Afro American Baltimore, Md.
Sat. 8-27-60

BALTIMORE

After serving 16 years of a life term, Howard Hubbard Sr., now 61, was released by the State Parole and Probation Department this week. He was among 85 prisoners paroled.

A former Preston, Md. businessman, Mr. Hubbard was convicted of first - degree murder in the accidental Sept. 1944 killing of a white restaurant owner following a traffic argument involving his 17-year-old son, Howard Jr.

His trial in Annapolis in November, 1944 lasted 15 hours during which 15 sheriffs and armed county police were on guard. Mr. Hubbard's own lawyer, W. B. Deen, white, referred to him several times as "d--y" and "n---r."

No mention was made of the fact that Mr. Hubbard's home and tavern had been burned to the ground after the shooting and that he had been whisked to Baltimore for safekeeping after a mob armed with shotguns, clubs and ropes stormed the Denton jail.

The trial was moved to Annapolis on the ground that a fair trial was impossible in Caroline County.

* * *

THE ALL - WHITE jury deliberated 5½ hours, and was reportedly deadlocked because two members held out for acquittal. Maryland law requires that the verdict be unanimous.

Judge James Clark, presiding at the trial, chewed tiny bits of paper nervously throughout the hearing.

The armed mob of 75 men from Preston had entered the Denton jail demanding the prisoner who was accused of shooting James Davis, 35, white, after an earlier argument between Hubbard's son and another white driver over a near traffic mishap.

When the sheriff's wife failed to convince the mob that no prisoner was in the jail, they threatened to break down the doors. Then she permitted them to search the jail.

* * *

THE MOB returned to Preston and in the meantime some 2,000 men from nearby Hurlock, Federalsburg, Easton, Harmony and Grove descended on Denton. But State Police had already secretly taken the prisoner to Baltimore.

The tavern and dance hall owned by Mr. Hubbard were completely destroyed by fire a few hours after the shooting. Three nights later, the Hubbards' two - story frame house was also gutted by fire.

Judge Clark ruled out this testimony because he said it happened after the killing.

AFRO reporters covering the trial were seated in a jim-crow aisle reserved for colored spectators. There were no press tables.

When one AFRO reporter complained that it was impossible to hear from this section, Judge Clark permitted them to move, stating, "Since you're from the press, you can sit on the other side."

27g 1960

MASSACHUSETTS

9620

Negro Is Isolated For Own Safety

Commercial Appeal

Defendant In Lovers' Lane Case In Danger

WORCESTER, Mass., Dec. 14. —(UPI)—A Negro has been kept apart from other defendants in a mass rape trial for his personal safety in jail, it was disclosed Wednesday.

Herbert Buss, deputy master of the Worcester jail, described the situation as the trial continued in Superior Court. Ten young men have been accused of raping a pretty blond in a wooded Lovers' Lane in nearby Leominster last June.

Buss said Buddy D. Lawrence, 29, is not allowed to mingle with the others for fear they might do him bodily harm. Buss said he has received information that "the others hold Lawrence responsible for breaking open the story of the rape."

Lawrence has denied he raped the 19-year-old girl, daughter of a chemical firm executive. However, he said he saw six companions, including another Negro, attack her after she and her boy friend were dragged from their car.

Each of the defendants is jailed in a separate cell. Buss said Lawrence is not allowed to line up with the others in going into the jail mess hall or washroom.

Six of the 10 including Lawrence still are on trial. Four including the other Negro, Fred L. Brooks, 23, previously pleaded guilty.

Leominster Police Chief George H. Smith resumed testimony Wednesday under cross-examination by defense lawyers on the nature of statements made by the six defendants after their arrest.

Smith said he has known one of the defendants, Robert Mascis, 20, since he was a "little boy." Mascis completed only the fifth grade in school and is unable to read or write, he said.

9579

Suspect Moved To Thwart Mob

The Washington Post
Washington, D.C.

JACKSON, Miss., Feb. 20 (UPI)—A white woman yesterday identified a Negro as the man she said raped her. The Negro was then rushed here in secrecy by law officers who feared a lynching.

—At Cleveland, Miss., 150 miles north of here, the woman took one look at Warren Vaughn, 24, and declared, "That's the man." She said she would swear in court that he broke into her home Feb. 2 and assaulted her.

Sheriff Jewel Pace of Cleveland, and a highway patrolman sped Vaughn to State Highway Patrol headquarters here.

Authorities were said to fear a repeat of the lynching, less than a year ago, of Mack Charles Parker, the accused Negro rapist of another Mississippi white woman.

Sheri Pace was reported "very upset" about the racial angle in the Vaughn case. He refused to talk to newsmen last night after telling them only that "We have made an arrest and are giving the suspect lie detector tests. There have been no formal charges yet."

Vaughn's alleged victim, the young mother of three, identified the out-of-work Negro after viewing dozens of Negroes picked up in the case.

The woman said her assailant criminally assaulted her after entering her home by tearing o the screen door. She said she fired a blast from her husband's shotgun as he came in the house, but missed, and he raped her in the living room while the children were in the bedroom.

Police found her living room a shambles. However, a physician was unable to determine if she was raped.

In the Poplarville case, Parker was dragged from jail by a mob of hooded white men. A FBI search found his bat-

tered, bullet-punctured body in the nearby Pearl River.

9622

Lynch Scare Causes Removal Of Tan Suspect

Paris, Tenn. — Hafford Lightfoot, a 24-year-old Negro charged with armed robbery, felonious assault, auto theft and the kidnapping of a 20-year-old white woman is being held in an undisclosed jail in another county, according to local police, to prevent local citizens from taking the law into their own hands.

Lightfoot was arrested by Sheriff Hortie Hutson and State Trooper Joe Dillard after he was found hiding in a clothes closet at the home of George Dunlap an acquaintance in the nearby community of Henry.

The suspect is accused of robbing, assaulting and kidnapping Shirley Ealy, the daughter of small restaurant owner here.

The woman said she was getting into her father's car in front of their home when Lightfoot accosted her with a pistol in his hand. At gunpoint, she disclosed, he made her hand over a money box containing approximately $500 then forced her to get into the car with him while he drove through town.

Jumped or Pushed

The girl was either pushed from the car or she jumped when a police car began chasing them for speeding. She was seriously injured. Police said the chase ended when Lightfoot ran through a boulevard stop and crashed into another car. He then escaped on foot.

A huge posse was formed to search for him and state police brought in a helicopter and bloodhounds. Although it was believed that he had eluded the big search party and escaped to Chicago, police recived a tip that resulted in his being found in Dunlap's house where he was supposedly being hidden by Dunlap's 13-year-old daughter, his alleged girl friend.

Found Unarmed

Sheriff Hutson said Lightfoot was not armed at the time of his capture and offered no resistance. The Dunlap girl met the officers at the door and told them she was alone but allowed them to search the house when they indicated that they did not believe her. Lightfoot was found standing behind some clothing in a closet.

Although Sheriff Hutson said that the suspect admitted driving the Ealy car involved in the wreck.

9623

Faces night burglary count

Pratt City Negro charged in attack on white girl, 8

An intoxicated Negro man broke into a Pratt City house early today and tried to force advances on an 8-year-old white girl, according to police.

Approximately 15 minutes after the prowler fled from the scene, a suspect was taken into custody by officers.

He was identified as Dilla McKee, 22, of 220 Seventh-st, Pratt City. McKee was charged with nighttime burglary of an inhabited dwelling.

Police said the Negro was arrested in a car near his home. He pretended to be asleep, they said, and was not fully dressed.

Sgt. L. E. Parker and Officers B. M. York and D. P. Jones said the suspect had smudges of paint on his hands and arms which indicated he may have crawled through a window.

OFFICERS SAID the victim was attacked after someone removed screens from her bedroom window and crawled into the house. The girl was awakened when a Negro grabbed her by the arm and tried to crawl in bed, they added.

The child said she broke loose and ran into the bedroom where her father and mother were sleeping.

Police said the prowler jumped out the open window and stood outside the parent's bedroom until lights were turned on.

The girl's father told police he heard someone run south toward Seventh-st. He said the foot steps sounded as though the fleeing person wore only socks.

McKEE WAS arrested about 1 a.m. in a car on Seventh-st. Police said the vehicle was not owned by the Negro.

Officers said the man had been drinking and answered the description given by the girl.

A 19-year-old witness told police she saw the accused in the vicinity of the victim's house prior to the incident.

McKee gave an alibi, officers said, but another Negro man failed to corroborate his story.

2 Negroes Face Grand Jury After Girl Tells Of Attack

Two young Mt. Meigs Negroes were bound over to the grand jury in Court of Common Pleas Friday after a 13-year-old Negro girl told of being driven off in a car and forcibly ravished.

She accused Henry Postell, 22, of raping her while Andrew Jones, 21, held her.

Postell was placed under $1,000 bond, and Jones under $500.

The girl told Judge R. S. Hill, sitting in place of regular Common Pleas Judge Alex Marks, that she was pulled into the car. After the rape, she said, she told the two men that "I was going to tell mama."

Both Postell and Jones denied that a rape took place. Postell said the girl was taken along on a "friendly ride."

Jones said he drove the car while Postell and the girl were in the back seat, but saw no rape or attempted rape. But he did say he heard Postell ask the girl to have intercourse with him, which she refused.

Queried by Deputy Solicitor Robert Stewart as to why he let Jones drive the car, Postell said his doctor had advised him not to drive because of a hernia operation.

Jones at first said the car was driven about a mile and a half during a period of more than an hour. Then, prompted by his attorney, Charles Pinkston, he outlined the route he said he took, which was closer to 20 miles.

Fined $100 and costs by Hill during the court session Friday was Amanda Cain, 1819 Mill St., who was charged with violating the prohibition law.

Pair Bound Over On Rape Charge

MONTGOMERY, July 8 (UPI)—Recorder's Court Judge Eugene Loe Jr. bound two young Negroes over to the Grand Jury today on charges of raping a 13-year-old Negro girl.

The charges were brought against Henry Postell, 22, and Andrew Jones Jr., 21, both of Mt. Meigs, for an alleged attack on the girl June 24 in Postell's car.

The girl testified the two boys, whom she knew, dropped by her house early in the afternoon and asked her to go for a ride. She said Postell raped her on the back seat of the car while Jones held her.

Both boys denied the attack.

4 Negroes Held In Rape Case

MOBILE (AP) — Four Negroes, three of them brothers, were bound over to the county grand jury without bond Thursday on charges they raped a Negro girl while she was on a church picnic.

They pleaded innocent at the hearing in General Sessions Court. The 17-year-old girl identified them as her attackers. She said they raped her at Mon Luis Island Beach south of Mobile July 27.

Deputy Sheriff Lewis Driggers said the defendants had signed statements admitting the charges. The statements were admitted in evidence.

The defendants are Theodore Peterson, 19; James Peterson, 27; John Peterson, 22; and Allen Watts Jr., 20.

NEGROES ADMIT ATTACK

Four Implicated In Assault On Negro Girl, 17

MOBILE, Ala., July 28.—(UPI)—Sheriff Ray Bridges reported Thursday two Negro men admitted criminally assaulting a 17-year-old Negro girl and implicated two other Negroes.

Bridges said the two implicated in the case continued to deny the charges. He failed to identify which of four being held without bond admitted the attack.

The high school girl told officers the four men criminally assaulted her Wednesday at Mon Luis Island beach south of here where she had gone with another girl. She said one assaulted her on a raft in the water and the other three assaulted her in about 4½ feet of water near the beach.

Held were Theodore Peterson, 19, James Peterson, 27, John Peterson, 22, and Allen Watts Jr., 20, all of Mobile.

White Woman Reports Rape In Geneva

GENEVA—A white woman reported she was raped Thursday by a Negro man in her store here, Geneva County Solicitor Ed Boswell said Friday.

Several possible suspects have been questioned by state, county and city officers, Boswell said, but no charges have been filed against anyone in the case.

The woman, in her 30s, was alone in the small store when her assailant entered at about 3 p.m. Thursday, she told officers.

The housewife said she fainted as the Negro assaulted her but heard him as he ran out the door. Boswell said she reported the attack about two hours later after going home.

A description of her assailant was given by the woman but the solicitor declined to release it.

Assisting local police in the investigation are Boswell, Sheriff D. T. Braxton, state investigator John Williams and state toxicologist Wendell Sowell.

Four Mobile Men Held for Rape

Four Mobile men are being held without bond in the Mobile County jail on rape charges made by a 17-year-old high school girl.

The men, Theodore Peterson, 19, James Peterson, 27, John Peterson, 22, and Allen Watts Jr, 20, all of whom listed their address as 3208 Old Shell Road, are said to have raped the girl, a member of a well-known Mobile family, at Mon Louis Island, a swimming center and picnic point about 20 miles from Mobile on Mobile Bay, Wednesday afternoon.

4 Negroes Held In Rape Case

MOBILE (AP) — Four Negroes, three of them brothers, were bound over to the county grand jury without bond Thursday on charges they raped a Negro girl while she was on a church picnic.

They pleaded innocent at the hearing in General Sessions Court. The 17-year-old girl identified them as her attackers. She said they raped her at Mon Luis Island Beach south of Mobile July 27.

Deputy Sheriff Lewis Driggers said the defendants had signed statements admitting the charges. The statements were admitted in evidence.

The defendants are Theodore Peterson, 19; James Peterson, 27; John Peterson, 22; and Allen Watts Jr., 20.

Four Negroes held for jury in rape

MOBILE, Ala., Aug. 5—(AP)—Four Negroes face Grand Jury action on charges they raped a 17-year-old Negro girl while she was on a church picnic.

The four were bound to the Grand Jury yesterday after they pleaded innocent at a General Sessions Court hearing.

The girl said they raped her at a beach south of the city July 27.

The defendants are Theodore Peterson, 19; James Peterson, 27; John Peterson, 22; and Allen Watts Jr., 20.

Negro Held On Morals Count Bound Over To Grand Jury

Montgomery Advertiser
Montgomery, Ala.

A Negro charged with carnal knowledge of a 14-year-old girl was bound over to the Circuit Court grand jury Wednesday under a $300 bond.

William L. Jackson, 22, of 211 Winfred St., pleaded innocent to the charge when he was arraigned before Recorder's Court Judge Ben S. Hardeman.

The girl, now an inmate of the Alabama Industrial School for Negro Children, testified she had relations with Jackson while parked on a rural road.

Also bound over Wednesday here Frank L. Sears, 567 S. Ripley St., and Carl Washington, 1296 Maple St.

Sears, whose bond was set at $500, waived hearing on charges he broke and entered Sully's Jr., 10 Molton St., and stole $9.60. Washington, being held under a $300 bond is alleged to have stolen five cartons of cigarettes from the Kwik-Chek store on North McDonough Street.

Seffia Vaughn, 721 Howe St., was fined $50 and costs and sentenced to 10 days in jail for discharging firearms. The Vaughn woman shot and wounded her husband, according to testimony, but he declined to press charges against her.

Testimony was taken in a case in which Lester King, 829 S. Decatur St., is charged with feloniously transporting more than five gallons of moonshine. However, Judge Hardeman declined to rule on the case pending the hearing of other witnesses.

'Arrested' Texas Woman Policeman Is Jailed In Cullman For Rape

B'ham Post-Herald
B'ham, Ala
Wed 11-23-60

Special to The Post-Herald

CULLMAN, Nov. 22—a 40-year-old Vinemont man who allegedly impersonated a traffic officer and forced himself on a Texas woman he "arrested" has been jailed here without bond on a charge of rape.

Ithel William Lee also is charged with impersonating an officer and Andy Evans, 55, with impersonating an officer. The warrants were signed by the woman.

When Sheriff Crant Waldrop's officers went to Evans' home to pick him up, they took a search warrant and, on Evans' admission, also charged him with violation of the prohibition law charge.

The woman, about 35, driving to Vinemont for a visit with her mother told Solicitor Jack Riley a car with two men in it pulled in front of her vehicle on U. S. 31 north of here and waved her down.

"Identification" Flashed

She said one of the men—later identified as Lee—got out, flashed some identification and told her he was an officer. He said he would have to give her a ticket for having a "loud muffler" and improper license plates.

The woman's 11-year-old daughter was in the car with her.

She said Lee and Evans went through the trunk of her car, where her luggage was packed, then said they'd have to take her in.

Lee, she said, got in her car and drove to his house, on Eva-rd about six miles from where the car had been stopped. He told her he had a garage and could get her muffler fixed. At the house, she said, he filled out some papers and had her sign something, on the pretext that it would make it easier for her to get a proper auto license.

After that, she related to the solicitor, Lee told her he would take her to the judge. They got in her car, leaving the 11-year-old girl with Evans in his car, and drove away.

Turn Into "Shortcut"

The woman said they drove for a while on pavement, then turned onto a dirt road Lee said was a shortcut.

She said Lee stopped the car in some woods, and made advances toward her. She said she fought back and resisted for two hours, until finally forced to submit. She said Lee threatened her with a blackjack.

When finally released, the woman was able to identify the men and knew where they lived. The girl apparently was not molested.

Lee operates a small garage in Oden's Store community between Cullman and Eva. Officers said he had told his wife a number of times he also was working as a state officer several nights a week.

Lee was arrested Sunday night and Evans yesterday.

Sheriff Waldrop said there had been numerous reports lately of someone driving a 1958 white Buick with red lights in the grill, stopping motorists and impersonating an officer. He is seeking to determine if the "officer" fined anyone.

The car was identified as belonging to Lee.

At Florence—

B'ham Post-Herald

Young Beauty Operator Attacked In Her Home

Special to The Post-Herald

FLORENCE, Sept. 15 — The latest in a series of nighttime burglaries occured here early this morning when a 19-year-old beauty operator was attacked in her home.

B'ham, Ala
Fri 9-16-60

The girl, whom police refused to identify, said the intruder cut the screen door on the back porch, went through the kitchen and into her bedroom.

She said he appeared to be a Negro, but talked like a white man.

The girl said she fought the man until her screams were heard by the landlady, Mrs. Maude Delano.

The beauty operator was struck in the face and treated at a local hospital.

The incident was the seventh in a series of home enterings in Florence.

Detective Captain James Carter said a description of the man has been "very confusing" but in each of the cases, he has entered homes where there were no men around.

Several teenagers have also been attacked in cars.

The latest incident occured about 1:30 a.m. today.

Montevallo Officers Seeking Negro In Attack On Woman

B'ham Post-Herald

Special to The Post-Herald

MONTEVALLO, Sept. 25 — Officers today were still searching for an unidentified young Negro who attacked a white mother here Friday night and attempted to assault her.

B'ham, Ala
Mon, 9-26-60

A spokesman for the police department said this afternoon there were no new developments in the case since bloodhounds tracked the Negro to Calera late Friday night.

Demanded Money

The woman, Mrs. W. V. Murray, said she was at home alone with her two children, aged one and seven, when the Negro came to the door and demanded food and money.

When she told him to "get out," Mrs. Murray said he chased her into the kitchen and back into the living room.

At this time, her husband was returning from work and it was assumed the Negro saw lights of his car and left.

Dogs Lost Trial

Bloodhounds called from Draper Prison tracked the man to Calera, about 6 miles away, where he went from an alley and apparently into a telephone booth.

The trail was lost at the booth.

The Negro was described as about 20, slinder and he might have a scar on his face.

Conducting the investigation is Sheriff C. P. Walker and Police Chief Harry Kendrick.

Negro sought in attack on Shelby matron

The B'ham News
B'ham, Ala

MONTEVALLO, Ala., Sept. 24—Search for a Negro assailant who tore off a white woman's undergarments and tried to strangle her with a belt continued in Shelby County Saturday.

Bloodhounds tracked the Negro five miles to a Calera phone booth but lost the trail there, the victim's husband, W. B. Murray, said.

Sat. 9-24-60

MURRAY CAME home from work at about 9:30 o'clock Friday night and found his wife on the living room floor, her undergarments torn away, her dress disarranged and a belt around her throat, he told officers. She was unconscious.

Her doctor said she had not been raped.

Mrs. Murray said her assailant was a young Negro, probably about 18 or 19.

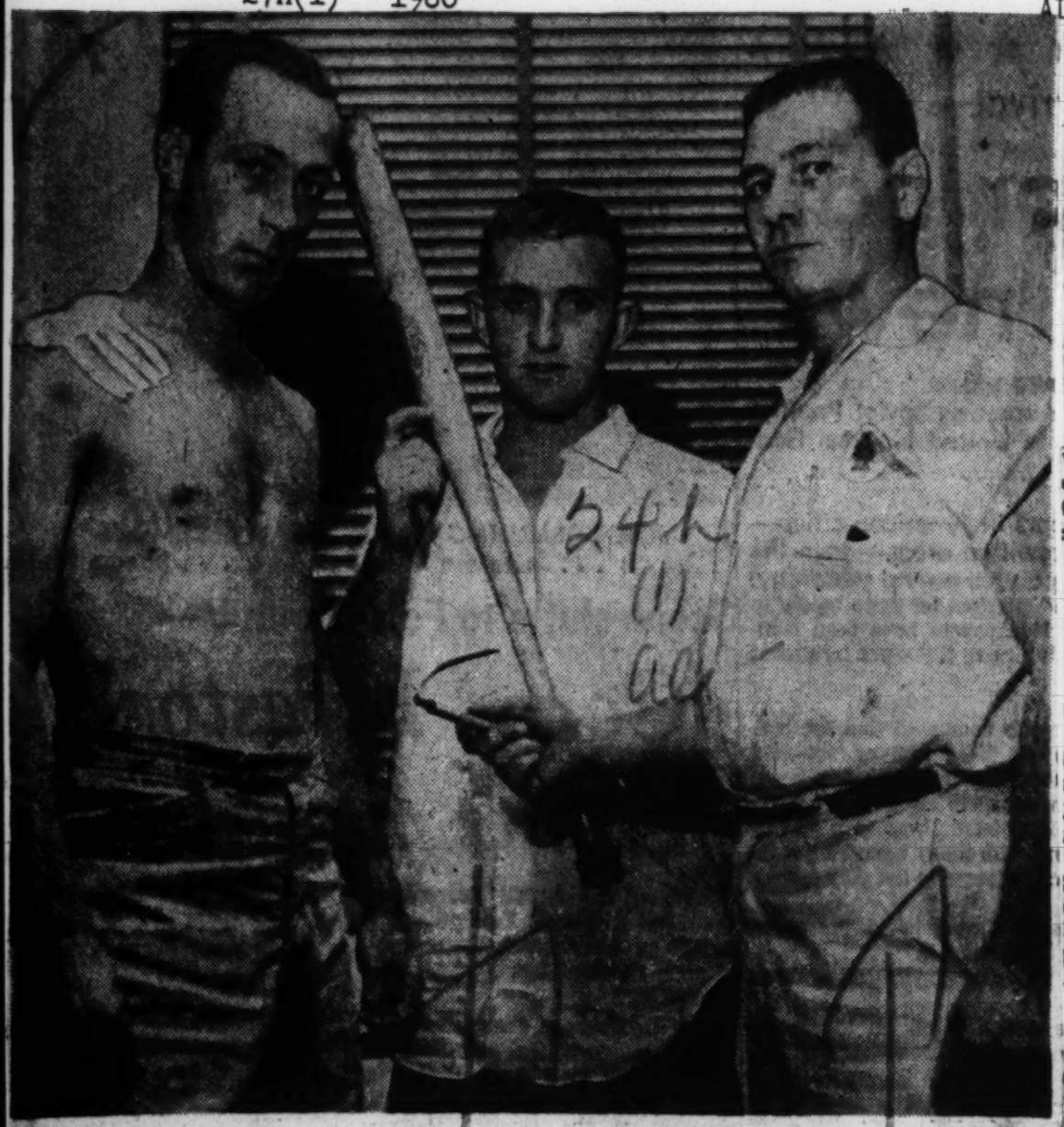
He entered the front door of her rural home one mile east of Montevallo and demanded food and money, she told officers.

When she ordered him to leave, Murray quoted his wife as saying, he chased her around the living room table, then took a belt from a gun rack and knotted it around her throat.

She said she passed out after reaching for a telephone.

The woman's two daughters, ages 1 and 7, were asleep in another room.

Mrs. Murray, 36, was under a doctor's care in her home.



News staff photo—Tom Lankford

NEGRO SEVERELY BEATEN AND WOUNDED IN WESTSIDE ATTEMPTED RAPE
. . . Mack Clay, center, and Santo Cassenta, right, show weapons used in fight; William Clay Jr., left

Fought off by family—

Negro is captured in bloody chase after rape attempt

BY DICK KELSO
News staff writer

A young Negro touched off bloody violence and a two and half hour search last night when he broke into the home of a Westside family and attempted to rape a white woman.

He was tracked down by a police dog and wounded by Detective C. B. Golden on the edge of Highway 78 at 10th-st. w.

THE NEGRO, identified as Jarris Patton, 20, of 616 Carline-av, Pratt City, was in critical condition this afternoon.

Police said he was free on probation after receiving a three-year sentence on an auto-theft conviction last May.

Officers said Patton fled from the home of Mr. and Mrs. William E. Clay of 936 16th-av, w, after a life-and-death struggle with three of their sons, William Jr., 28, George, 21, and Mack, 18.

George, a salesman at Wilson Co., was admitted to University with four stab wounds in his back and shoulders. William Jr., was treated for a stab wound in his shoulder and dismissed.

The Negro was severely beaten by the sons with fists and a baseball bat. He fled from the blood-spattered home, diving head-first through a window.

POLICE GAVE the following account of the affray:

The assailant entered the home about 11 p.m. as Mrs. Clay and two sons slept. Clay, a clerk at Frisco Railroad, was at work.

The Negro choked Mrs. Clay and was attempting to attack her when George returned home. He encountered the fleeing Negro in the hallway and they began to struggle.

Armed with a knife taken from the Clay's kitchen, the Negro youth stabbed George as they wrestled in the kitchen. George's shouts aroused William who ran to the scene and grabbed the Negro's hand holding the knife.

They struggled into the hall, throwing the Negro to the floor, and pinning him down. Mack joined the fight, pounding the Negro's face and head with his fists.

A NEXT-DOOR NEIGHBOR, Santo Cassenta, who heard Mrs. Clay's shouts, ran to the scene, then returned home for a baseball bat.

Mack grabbed the bat from his hands and swung repeatedly at knees after each blow, edged himself toward a bedroom.

He staggered to his feet running blinded through the bedroom, smashing into a window and shattering it.

Meantime, William slammed him twice on the head with the bat which had been cracked down the center. They struggled again, then the Negro dived through the window.

MINUTES LATER, Sammy Johnson heard the youth fall beside his home at 1615 10th-st, w. He investigated, then called police who were searching nearby.

While an officer stood over the Negro, believing him to be dead, he jumped up and fled under fire.

Officers and neighbors found traces of blood but were unable to follow his trail. Officer J. C. Pierce with his police dog, Shep, followed his tracks to the highway. Officers began a search of the area.

About two hours later Golden saw the youth run out of a ditch beside a weeded lot as he drove by. He captured the Negro. Attendants at University Hospital said at least one bullet struck the youth's brain. He is in critical condition.

GOLDEN SAID George Clay's life may have been saved when the knife used by the Negro bent. He was listed in good condition.

Mack, who weighs about 155 pounds, said, "It was unbelievable the way he kept getting up after I hit him with the bat with everything I had. I couldn't keep him down."

Detective Capt. Ben Walker praised the work of the police dog and his master, Pierce, saying it was indicative of better policing in the city.

Police said a Negro tried to break into two other Westside homes shortly before the attempted rape. W. E. Spray of 757 10th-av, w, reported he chased away a Negro wearing the same color shirt as the wounded youth when he entered the door.

News staff photo—Tom Lankford

POLICE DOG TRACKS WOUNDED NEGRO
. . . Officer J. C. Pierce with Shep after chase

"I'm proud of both of them," Connor said. "They are a credit to the force."

Shep and his trainer had reported for work only minutes before they were given their first assignment last night.

"Once Shep got the man's scent, he tracked him without any trouble," Pierce said. "He did just like he was taught in training."

K-9'er Shep praised for night's work

K-9'er Shep was given an extra ration of food and an affectionate pat by his master today after his first shift with the police department.

The German Shepherd and Officer J. C. Pierce were also praised by Commissioner Eugene Connor for their efforts in tracking down a wounded house burglar.

Fought off by family—

Negro is captured in bloody chase after rape attempt

BY DICK KELSO
News staff writer

A young Negro touched off bloody violence and a two and half hour search last night when he broke into the home of a Westside family and attempted to rape a white woman.

He was tracked down by a police dog and wounded by Detective C. L. Golden on the edge of Highway 78 at 10th-st, w. He had no identification on his person.

THE NEGRO, about 19, fled from the home of Mr. and Mrs. William E. Clay of 936 16th-av, w, after a life-and-death struggle with three of their sons, William Jr., 28; George, 21, and Mack, 18.

George, a salesman at Wilson Co., was admitted to University with four stab wounds in his back and shoulders. William Jr., was treated for a stab wound in his shoulder and dismissed.

The Negro was severely beaten by the sons with fists and a baseball bat. He fled from the blood-spattered home, diving head-first through a window.

POLICE GAVE the following account of the affray:

The assailant entered the home about 11 p.m. as Mrs. Clay and two sons slept. Clay, a clerk at Frisco Railroad, was at work.

The Negro choked Mrs. Clay and was attempting to attack her when George returned home. He encountered the fleeing Negro in the hallway and they began to struggle.

Armed with a knife taken from the Clay's kitchen, the Negro youth stabbed George as they wrestled in the kitchen. George's shouts aroused William who ran to the scene and grabbed the Negro's hand holding the knife.

They struggled into the hall, throwing the Negro to the floor, and pinning him down. Mack joined the fight, pounding the Negro's face and head with his fists.

A NEXT-DOOR NEIGHBOR, Santo Cassenta, who heard Mrs. Clay's shouts, ran to the scene, then returned home for a baseball bat.

Mack grabbed the bat from his hands and swung repeatedly at the assailant's face and head. The Negro, who raised himself to his knees after each blow, edged himself toward a bedroom.

He staggered to his feet running blinded through the bedroom, smashing into a window and shattering it.

Meantime, William slammed him twice on the head with the bat, which had been cracked down the center. They struggled again, then the Negro dived through the window.

MINUTES LATER, Sammy Johnson heard the youth fall beside his home at 1615 10th-st, w. He investigated, then called police who were searching nearby.

While an officer stood over the Negro, believing him to be dead, he jumped up and fled under fire.

Officers and neighbors found traces of blood but were unable to follow his trail. Officer J. C. Pierce with his police dog, Shep, followed his tracks to the highway. Officers began a search of the area.

About two hours later Golden saw the youth run out of a ditch beside a weeded lot as he drove by. He captured the Negro. Attendants at University Hospital said at least one bullet struck the youth's brain. He is in critical condition.

GOLDEN SAID George Clay's life may have been saved when the knife used by the Negro bent. He was listed in good condition.

Mack, who weighs about 155 pounds, said, "It was unbelievable the way he kept getting up after I hit him with the bat with everything I had. I couldn't keep him down."

Detective Capt. Ben Walker praised the work of the police dog and his master, Pierce, saying it was indicative of better policing in the city.

Police said a Negro tried to break into two other Westside homes shortly before the attempted rape. W. E. Spray of 757 10th-av, w, reported he chased away a Negro wearing the same color shirt as the wounded youth wore. He said the Negro had his arm through the screen trying to unlatch it when he entered the door.

Negro jailed here in rape attempt

A Negro has been identified as the man who attempted to rape a white girl on an Avondale street, police said.

He is Charles Davis, 21, of Rt. 1, Mason City, according to Dets. C. L. Stevens and C. L. Pierce.

Detectives said Davis was spotted on a downtown street by the victim, Kathy Morgan, 22, of 5032 Eighth-ct, s. He was wearing an uniform bearing the name of his employer, they said.

Davis was booked at City Jail on a charge of attempted rape. Detectives said the suspect was picked out of a lineup.

The victim was attacked Sept. 3 as she walked in the 4900 block of Seventh-av, s. She was knocked down. The Negro fled when her screams brought several persons out of their home.

Negro Beaten In Scuffle At White Home, Later Nabbed

BIRMINGHAM (AP)—A young Negro, beaten bloody in a knife-and-bludgeon fight when caught in a white woman's house, led police on a 2½-hour chase Monday night.

The battle and the chase ended in the early morning darkness with the Negro shot and critically wounded and two white men suffering with knife wounds.

Police said the Negro, identified as Jarris Patton, 20, of Birmingham, choked and attempted to rape Mrs. William E. Clay.

Det. C. L. Stephens said he got a warrant Tuesday charging Patton with nighttime burglary of an inhabited dwelling—a capital offense.

He said Patton is under guard at a hospital.

The detective said Patton is on probation from a grand larceny conviction here last May.

Her son, George Clay, 21, came home during the attack, spotted the Negrgo fleeing through a hallway, and began tussling with him.

The Negro stabbed him with a kitchen knife as they wrestled into the kitchen.

The other sons, William Jr., 28, and Mack, 18, awakened by the scuffle, joined the fight.

A neighbor, Santo Cassenta, attracted by Mrs. Clay's screams, arrived with a baseball bat. Mack took the bat and clubbed the Negro on the Head several times, cracking the bat.

The man, knocked to his knees much of the time, made his way toward a window and crashed through it.

Police arrived and stood over the fallen Negro. Then, suddenly, he jumped up and fled as officers fired at him.

A police dog, one of several put into service for the first time Sunday night—picked up the Negro's trail. Later the Negro was spotted and shot as he ran out of a ditch.

Two of the woman's sons were treated for stab wounds. George was hospitalized with four wounds in his back and shoulders. William was treated for a wound in his shoulder and dismissed.

9625

INVESTIGATOR TESTIFIES

Negro Slayer's Story Told Jury At Athens

ATHENS, Ala. (AP) — A state investigator testified today that Joe Henry Johnson, 17-year-old Negro, admitted he raped, slashed and beat to death an elderly white spinster at a farm near here.

R. W. Godwin was the first witness on the second day of Johnson's trial in Limestone Circuit Court.

Godwin read a 19-page statement he said police took from Johnson shortly after the rape-slaying of Miss Dicie Boyd, 62, last November.

The statement quoted Johnson as saying he beat up and raped Miss Boyd after she caught him abusing a cow in her barn.

From the barn he went to the nearby Boyd house, according to the statement, and beat Miss Boyd's mother with her own cane, then rummaged around in the house for money.

Johnson, who stood mute at his arraignment on a first-degree murder charge last week, entered a plea of guilty Wednesday.

His court-appointed attorney, David U. Patton, entered the plea and told the jury it had only to determine the penalty.

Circuit Solicitor (Prosecutor) George Johnson demanded the death penalty. He said the youth's guilty plea did not change his feeling.

"There should be no mitigation because of his age," he told the jury.

Tyson Towsend, a cousin of the victim, testified Wednesday that he found Miss Boyd's body in the barn and then discovered her mother in the house.

Dr. L. A. Edmundson, Bethel, Tenn., told the court that Mrs. Boyd was not physically able to attend the trial.

Negro Admits Rape-Slaying Of Two Near LaFayette, Ala.

LAFAYETTE, Ala. —(AP)— A husky Negro has confessed to the rape-slaying of a middle-aged Sunday School teacher and the fatal bludgeoning of her father, Sheriff Ray Phillips reported.

Jimmy Lee Robinson, 26, Monday night admitted slaying the elderly white man and his spinster daughter at their rural home near Fairfax Dec. 12, Phillips said Wednesday.

But Circuit Solicitor Tom Young indicated at Alexander City, Ala., that the reported statement failed to solve the crime to his satisfaction.

Young called Phillips' statement "premature' 'and said:

"From information at my disposal, the crimes are not solved until I find out something I don't know at present."

He would not elaborate.

Phillips said Robinson signed a statement that he killed Jefferson Chambers, 71, and his 43-year-old daughter, Nella Jean, in a robbery that netted $3.50.

Phillips said no charge had been filed against Robinson pending outcome of a lie detector test in Birmingham today. Such a test Wednesday indicated Robinson was telling the truth, he said.

The sheriff said he believes another person was involved and the second lie detector test was set up in hopes of wringing more information from Robinson.

Robinson denied any connection with the death of an earlier Negro suspect, Elijah Ramsey, whose body was found Jan. 16 in a creek near Fairfax a month after he disappeared, Phillips said.

Officers are investigating the possibility that someone murdered Ramsey, but Phillips said he doesn't believe Robinson was involved and that the confession apparently eliminates Ramsey from the case. Ramsey had been charged with Chambers' death.

The sheriff said Robinson related that after an evening of drinking at a tavern, a mile from the murder scene, he walked to the Chambers home three miles south of Fairfax off U.S. 29.

He reached the house about 10 p.m. and entered through the unlocked front door, carrying a knife, he said. While searching one room for money, he heard someone come in the kitchen door.

Going to the kitchen, he encountered Chambers, whom he stabbed.

Miss Chambers was struck with an ax and offered scant resistance as he pulled her out of a chair, put her on the bed and raped her, he quoted Robinson as saying.

After cramming face tissue down the woman's throat and strangling her with her pajama pants, he replaced his victim in the chair where her half-nude body was found two days later.

Robinson said he found $2 in Chambers' wallet and $1.50 in the woman's purse, then drove her car to nearby Fairfax, parked it in a business section and went his way unnoticed.

Rape Case To Go To Grand Jury

Special to The Post-Herald

FLORENCE, Feb. 9 — A charge of rape brought against Avery Ernest Chandler, 21, has been scheduled for presentation to the grand jury Monday.

Chandler is accused of raping an 11-year-old Negro girl the night of Jan. 30. Three times a scheduled preliminary hearing on the charge was postponed.

The girl who was acquainted with Chandler, said she was walking home from a movie when Chandler grabbed her, dragged her behind a building and raped her.

Negro Rapist, 17, Gets 10-Year Term

ASHVILLE, Ala. (AP)— Erskin Mostella Jr., 17-year-old Negro, faces a 10-year prison sentence following his conviction of rape charges involving a white woman who gave birth to a Negro child.

Circuit Solicitor George Hodges said Mostella was convicted by an all-white Circuit Court jury that deliberated about two hours Monday and about six hours Tuesday before reaching a verdict.

The woman, Florence Jones, 22, said Mostella tricked her into opening the door of a room she occupied at a cafe where she worked. She said he raped her after threatening her with a knife.

Negro Indicted In Mobile Attack

MOBILE, April 12 (AP)—A Mobile Negro was indicted today on charges he assaulted U. S. Atty. Ralph Kennamer in the official's office March 4.

J. B. Thomas, 49, was indicted on charges of assault of a Federal officer and assault on a government reservation, the Federal Building here. Each count carries a maximum penalty of 20 years in prison on conviction.

Thomas is charged with bursting into Kennamer's office and threatening to kill him with a .22 caliber rifle. The prosecutor, who said the man talked incoherently, managed to disarm him as Federal officers surrounded the office.

Negro Given 90-Day Term For Assault

A Negro man was convicted of assault to ravish Wednesday and was sentenced to 90 days of hard labor for the city.

Willie Lee Caldwell, 1708 Mobile Rd., was sentenced by Recorder's Court Judge D. Eugene Loe following testimony by an officer who witnessed the rape attempt on a little used dirt road behind St. Jude's Catholic Hospital.

Caldwell denied the charge.

A Negro woman who said she "writes insurance" for a living testified that she met Caldwell in a tavern April 13 and she agreed to take him home. He told her of a short cut, she said, and they turned on the dirt road behind the hospital.

He asked her to stop the car, she said, and when she did, he pulled her from the car and began tearing at her clothes. She said he jerked off one of her shoes and beat her about the mouth with it.

Sisters at the hospital heard her screams and called police.

Officer Herman Dobbs answered the call. When he approached the scene, he said, the woman was screaming for help while Caldwell was holding her.

He quoted the Negro man as saying, "If you don't hush, I'll kill you."

Dobbs said he then threw his light on Caldwell and arrested him.

The officer said Caldwell was "about half drunk" at the time.

9:25

White Woman Reports Rape In Geneva

GENEVA—A white woman reported she was raped Thursday by a Negro man in her store here, Geneva County Solicitor Ed Boswell said Friday.

Several possible suspects have been questioned by state, county and city officers, Boswell said, but no charges have been filed against anyone in the case.

The woman, in her 30s, was alone in the small store when her assailant entered at about 5 p.m. Thursday, she told officers.

The housewife said she fainted as the Negro assaulted her but heard him as he ran out the door. Boswell said she reported the attack about two hours later after going home.

A description of her assailant was given by the woman but the solicitor declined to release it.

Assisting local police in the investigation are Boswell, Sheriff D. T. Braxton, state investigator John Williams and state toxicologist Wendell Sowell.

Woman's Screams Frightened Away Negro Intruder Here

Suspect Held By Officers Is Identified By Housewife

The screams of a slender, blond Talladega area housewife Tuesday frightened away a Negro man who had knocked or shoved her down in her yard —her baby in her arms—and who was attempting to drag her by her arm.

She told The Home Wednesday that she was bruised and had screamed so hard that her throat was sore, but that she was otherwise uninjured in the ordeal she underwent about noon while her husband was away from their home on the city's east outskirts.

The woman, police said, had positively identified a 20-year-old Negro picked up about 5 p.m. Tuesday by Patrolmen Leon Hurst and Ed Bishop, who investigated along with Lt. Ben Cooley and investigator Leon Curlee and others.

The husband said he would swear out a warrant.

The woman and her husband said they knew the Negro by sight because he habitually passed their isolated home off the cutoff road leading from the Anniston Highway to the Ironaton road.

The description given by them led to identification. At the house where the Negro lives, the officers said, they found sweat-soaked garments tallying with the woman's description of what he wore.

At Police Headquarters Wednesday morning, Investigator Curlee said the Negro persisted that "I don' know nuthin'."

The housewife told a reporter that the Negro first approached her 13-year-old daughter as she picked plums with another little girl and little boy near the house.

The child told her mother that the man told her to "Come here."

Frightened, the children fled to the house.

The Negro followed, the woman said, and asked her if he might get a drink of water. She said she told him yes.

She said the man asked if her husband was at home, referring to him by his first name, and then asked for something to get a drink with.

The woman said she had become frightened and told the man to go on and get his drink and get away from the place.

"Let's don't have any smart talk out of you," she said he answered, advancing toward her.

She said she fled into the house, taking her bbay with her, and fastening the door behind her.

She heard the man go around the house, she said, and then he climbed inside through a window.

The woman fled outside, her screams pouring out in such volume that police said they were heard by people a quarter mile away.

"There is a clothesline outside the door," she said. "I had to duck to get under it and he caught me and knocked me down. Then he grabbed my arm and started dragging me.

"I kept screaming.

"Several times he told me 'Shut up' but I didn't. I just kept on.

"Finally he turned me loose. My little girl was hid under the house. She saw him go back into the house and then he left."

"Is the man they have upstairs the man who bothered you?" she was asked.

"Yes sir," she said. "That's him."

Negro Man Is Charged

A charge of assault with intent to ravish Thursday had been filed against Johnny Lee Levitt, 20-year-old Negro held for molestation of a Talladega area white woman.

The warrant against the Negro, who has been held since his arrest Tuesday afternoon, was sworn out by the woman's husband, officials said.

Levitt has been transferred from the city jail to the county jail.

2 Negroes Face Grand Jury After Girl Tells Of Attack

Two young Mt. Meigs Negroes were bound over to the grand jury in Court of Common Pleas Friday after a 13-year-old Negro girl told of being driven off in a car and forcibly ravished.

She accused Henry Postell, 22, of raping her while Andrew Jones, 21, held her.

Postell was placed under $1,000 bond, and Jones under $500.

The girl told Judge R. S. Hill, sitting in place of regular Common Pleas Judge Alex Marks, that she was pulled into the car. After the rape, she said, she told the two men that "I was going to tell mama."

Both Postell and Jones denied that a rape took place. Postell said the girl was taken along on a "friendly ride."

Jones said he drove the car while Postell and the girl were in the back seat, but saw no rape or attempted rape. But he did say he heard Postell ask the girl to have intercourse with him, which she refused.

Queried by Deputy Solicitor Robert Stewart as to why he let Jones drive the car, Postell said his doctor had advised him not to drive because of a hernia operation.

Jones at first said the car was driven about a mile and a half during a period of more than an hour. Then, prompted by his attorney, Charles Pinkston, he outlined the route he said he took, which was closer to 20 miles.

Fined $100 and costs by Hill during the court session Friday was Amanda Cain, 1819 Mill St., who was charged with violating the prohibition law.

9626

Negroes Arrested For Rape Of Arizona Mother Of Four

PHOENIX, Ariz. (UPI)—A horrified 28-year-old Phoenix mother of four children Saturday told sheriff's deputies she was abducted at knifepoint by four Negro men and was raped twice by each during a four-hour terror ride through Phoenix.

The suspects were arrested.

The white woman and her 28-year-old husband told deputies they asked directions at a Negro patronized tavern when they became lost driving.

Mrs. Virginia Strickland of the sheriff's detective bureau said the couple received directions to follow a muddy, dead-end street.

She said the assailants probably were the men who gave the faulty instructions.

The husband said they were accosted at the end of the street. He was beaten and was knocked unconscious with a bottle.

Deputy Ken Carter spotted the car and arrested the suspects. The woman was in a state of shock. The suspects did not resist arrest.

They were booked on suspicion of robbery, rape, kidnaping and assault with a deadly weapon.

After the victim's husband regained consciousness, he went to a nearby home and telephoned authorities.

The State Pardon-Parole Board Saturday granted paroles to 24 prisoners, including five convicted murderers.

At the same time the board denied 49 other applications for paroles.

27h(1) 1960 CALIFORNIA 9627

Negroes rape, rob Hollywood clubwoman

SANTA BARBARA, Calif., Nov. 5 (AP)—Three Negroes forced a Hollywood clubwoman's car to the curb, kidnaped, beat and robbed her, authorities report.

One of the men also raped her, Mrs. Margaret Clinch McGann, 35, told sheriff's officers. She was hospitalized in Los Angeles with a possible skull fracture.

Investigators said Mrs. McGann was bound, gagged and thrown from her car early Friday at Agoura, a Los Angeles suburb, after the men kidnaped her at Santa Barbara, 80 miles north.

AN ALL POINTS bulletin was issued for three young Negro men. Sought also was the victim's car, a 1960 Cadillac.

Mrs. McGann is estranged from Director William McGann, 62, and is a member of several Los Angeles area socialite groups.

She was en route from her Hollywood apartment to her home at Goleta, north of here, when the men curbed her car. One man then drove her car south while another drove the trio's old sedan, she said. A third man forced her in the back of the trio's car, and raped her as they rode, she said.

Mrs. McGann said the men took her purse, containing $150. Missing also, she said, was a diamond bracelet worth several thousand dollars.

27h(1) 1960 D.C. 9628

Suspect Held Without Bond In Assault Here

Deliveryman Is Questioned in Fourth Attack

A 26-year-old liquor store deliveryman who, police said, admitted the rape of a District woman and two assaults in Montgomery County, last night faced questioning by Prince Georges County detectives on an attempted rape in University Park.

The attack on the District woman, a National Airport employe, about 3 a.m. yesterday brought these developments:

William Ralph, who lives in a basement apartment in the 2700 block of Ordway street N.W., was charged with the rape of the District woman and held without bond for action of the grand jury.

Montgomery County police got a warrant for Ralph's arrest, charging him with the rape of a Kensington housewife last Monday.

Washington Chief of Detectives E. E. Scott said Ralph has admitted both these cases as well as the attempted rape of a Chevy Chase woman last Thursday.

Notified Police

Prince Georges County Detective R. A. Pearson notified District police that he wants to question Ralph in the attempted rape of a 52-year-old widow in University Park on February 27. Detective Pearson said there were several similarities between this case and the two Montgomery County cases.

Deputy Chief Scott gave this chronology:

Pvts. K. J. Donahue and B. H. Williams of the eighth precinct, responding to a call that a woman was screaming at Connecticut avenue and Macomb street, couldn't find the woman but saw Ralph putting on a sweater in the back seat of his car, parked in the 2700 block of Macomb street.

Fit Description

They noticed that he seemed to fit the description given by the Kensington victim and the Chevy Chase housewife and her daughter. His car, with Maryland tags, fit the description given by a Chevy Chase resident after the Thursday attack.

They took him to the Eighth Precinct and returned to Macomb street to find more about the woman's screams. It was then that the radio report came that a woman who lived in the 3200 block of Connecticut avenue said she had been raped some 45 minutes earlier.

The woman, who is 40, said she had left work about 2:15 a.m. and parked her car just before 3 a.m. on the south side of Macomb street. She said she locked her car and walked quickly up the center of the roadway to avoid the wooded areas on both sides of the street.

She said she had gone only a short distance when a man grabbed her, and put one hand over her mouth and the other hand over her eyes as she struggled. He started to choke her, she said, but she managed to scream before he dragged her to the rear of a nearby house and raped her. Then, she said, he walked away.

Police took the woman to the hospital.

Denied at First

When Ralph was questioned in this case, he at first denied implication and agreed to take a lie detector test. Lt. Robert S. Eichelberger, night supervisor and a polygraph expert, started to give him the test. Then, Ralph said he wanted to tell his side of the story to the woman.

His admissions jibed with the woman's story in all major details, Chief Scott said.

Ralph was then put into a line-up to be viewed by Mrs. F. Cowles Strickland, wife of the director of the Arena Stage, and their 17-year-old daughter Susan. Mrs. Strickland, who lives in the 3300 block of Shepherd street, Chevy Chase, fought off an intruder Thursday night with her daughter's help.

Both mother and daughter picked out Ralph as the man they thought had entered their home. Ralph described the interior of the Strickland home and told police his undershirt was torn in the struggle. This was one of the details which fitted with the account given by the Stricklands. Police said Ralph admitted the attack to the Stricklands.

WILLIAM RALPH
Accused of Rape

Arrived Late

The Kensington victim arrived too late for the line-up. She was in the hall, however, as Ralph was led out. She promptly pointed him out as the man who had dragged her from her bedroom and attacked her while her 4-year-old son slept.

Ralph had already said he wanted to tell her about the case and he repeated the details in her presence. He even told her the color of the paint on her living room walls.

Detective Sergt. Lloyd M. Whalen of Montgomery County swore to a warrant charging Ralph with rape in the Kensington case. Sergt. Whalen said the case will be presented to the new county grand jury convening tomorrow.

Sergt. Whalen said the attack on Mrs. Strickland will also be presented to the grand jury.

According to police, Ralph is a native of Charlotte, N. C. Police records show he was convicted of carrying a deadly weapon in July, 1958, and sentenced to pay a $25 fine or serve 15 days in jail.

Stopped Earlier

Ralph's arrest by the two Eighth Precinct police came less than two hours after he was stopped by two Montgomery County police on Western avenue N.W. because he was "acting suspiciously." Although they took his name and address, they decided they had nothing on which to hold him and let him go.

Ralph told District police that he was stopped by the Montgomery County policemen while he was taking some friends home from an evening-long dice game.

After they let him go, he said, he continued toward his home and turned into Ordway street in search of a parking place. When he couldn't find a place to park there, he turned into Macomb street. It was then, he said, that he saw his victim parking her car across the street.

Identified By Women, Police Say

Man Arrested On Macomb St. After Assault

By Daniel S. Greenberg
Staff Reporter

A burly liquor store deliveryman was ordered jailed without bond yesterday, charged with the early morning rape of a 40-year-old saleswoman off Connecticut ave. nw.

Sex Squad Capt. John Sullivan identified the suspect as William Ralph, 26, of 648 Lexington pl. ne, and said two nearby Maryland housewives had identified him as their assailant in a series of area assaults which began last Monday.

Sullivan said Ralph was arrested near the scene of the latest attack about 3 a. m. yesterday, even before the police were sure the crime had taken place.

Screams Bring Police

Police gave this account of Ralph's capture by two Eighth Precinct patrolmen:

Yesterday's victim was grabbed from behind as she walked home after parking her car on the south side of the 2700 block of Macomb st nw. She had left her job as a sales clerk for a National Airport concvession about 2:15 a.m.

The woman said the man dragged her screaming off the sidewalk and into the back yard of the home of Omar S. Elmandjra, economic counselor of the Moroccan Embassy who lives at 2756 Macomb st nw. There she was beaten to the ground, partially disrobed and assaulted sexually.

Her screams aroused nearby residents, several of whom reported them by phone to police. In response to this alarm, Pvts. Keith J. Donahue and Paul H. Williams sped into the area, but could find no source of the screames.

Seated in Car

In the back seat of a green 1954 Oldsmobile parked in the block, however, they found Ralph putting on a sweater. He answered their routine questions uncertainly and on the basis of the Maryland housewives' description he was booked for investigation at their station house about 3:30 a. m.

Meanwhile, the attack victim had struggled to her home and tried in vain to reach her employer by phone. About 3:45 a. m., a friend she was able to reach reported the rape to police. The victim, mother of a teen-aged daughter and estranged from her husband, was questioned by Sex Squad Det. Byrd H. Hall at the Women's Bureau and removed to D. C. General Hospital where physicians confirmed that she had been raped.

Victims and witnesses in the two Montgomery County cases were assembled at police headquarters. There, police said, a 41-year-old Kensington housewife pointed Ralph out in a hallway as the man who broke into her home before dawn last Monday and raped her after dragging her from her bed to the basement.

Seeks to Apologize

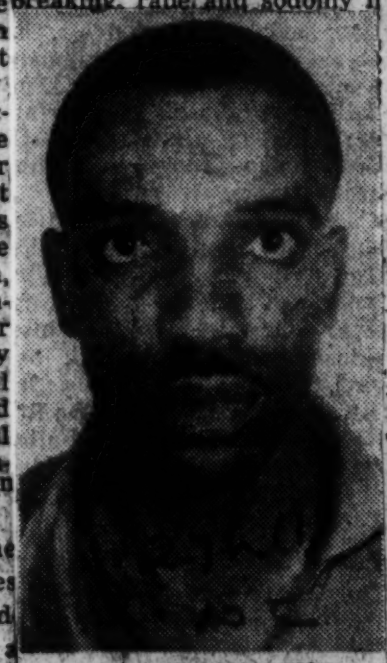
Mrs. F. Cowles Strickland and her 17-year-old daughter picked Ralph from a five-man lineup as resembling most the mustached intruder they pummeled late Thursday night from their Chevy Chase home at 3308 Shepherd st. Mrs. Strickland, wife of the resident director of Arena Stage, said she also was dragged from her bed into a hallway, but with her daughter's help was able to fight off the man's rape attempt and chase him from the house.

After his identification by the Stricklands, police said, Ralph broke down and asked permission of detectives to apologize to the women.

"I would like to tell them I am sorry," Capt. Sullivan said the suspect explained.

By 10:30 a.m. Ralph had been charged with the Macomb st rape and half an hour later was arraigned before Municipal Court Judge Mildred Reeves. She ordered him jailed without bond to await grand jury action—even as Montgomery County authorities were drawing up their detainers charging housebreaking, rape and sodomy in the Kensington case and attempted rape in the Strickland case.

Police said Ralph, a Charlotte, N. C., native, only once previously had been listed on



WILLIAM RALPH
.... charged with rape

9629

2d Child Molested; Man Held

Police Arrest One Who Played Cards At Victim's Home

By Daniel S. Greenberg
Staff Reporter

An unemployed truck driver was charged yesterday with raping and killing a 4-year-old girl, who police said, was lured from her home with a 3-year-old girl friend by a promise of candy.

The dead child, Nancy Diane Reid, of 651 Morton pl. ne., was found strangled on the second floor of an abandoned house at 632 Callan st. ne., a block from her home.

Her companion, who had been sexually molested, was huddled next to her body, speechless and shuddering with fear and cold in the drafty, unheated building. She was admitted to D. C. General Hospital for observation. Her condition was described as good.

Played Cards at Her Home

Charges of homicide and rape were placed against John E. Williams, 30, who had played cards in the dead girl's home before her disappearance Saturday night.

A hurriedly assembled detail of detectives — many called in from off duty — arrested Williams early yesterday in a basement furnace room at 1178 Morse st. ne. where he formerly rented a room. His arrest came shortly before 7 a. m., 2½ hours after the girl's body was found.

While Williams was playing cards in the Reid home, he was being sought by police for questioning in the attempted rape of a woman in the 1200 block of Florida ave. about 12 hours earlier.

The woman, who said a man climbed through a window and attacked her while she slept, gave police scanty information, but some of it pointed to Williams, detectives said.

While that search was under way, Williams apparently was wandering the streets.

His presence in the Reid home was a matter of chance, according to George Reid, 32,

JOHN G. WILLIAMS
. . . rape-slaying suspect

father of the dead girl. Reid said he returned home to find Williams, who was a stranger to him, playing cards with several others. He said he was told that one player had seen Williams walk by and invited him in.

After the game, according to the 6-year-old brother of the surviving girl, he saw one of the players lead the girls down an alley, explaining that "he was going to get them some candy." The boy told police that when he tried to tag along, the man gruffly warned him away.

When the children had not returned within several hours, their parents notified police. Pvts. Richard F. Barbuto and Bobby B. Campbell found them while checking empty houses in the neighborhood.

The name "Johnny Williams" and a description—but no address or other information—was supplied by card players. The name lead to a search of police files, which include 181 John, Johnny and Johnson Williames.

The file was broken down by age and race and the suspect, who had a record of drunk and disorderly convictions and a dropped charge of assault with a dangerous weapon, was identified from a photograph by persons who were at the Reid house during the card game.

Found at Former Home

Hard pressed for information about William's recent addresses, police noted that he listed his occupation as truck driver. They checked driver's license applications and found he had listed 1178 Morse st., ne., as his address several years ago.

There, they were told that

NANCY DIANE REID
. . . victim of attack

Williams had moved out of his room, but occasionally bedded down in the furnace rom. He came out from behind the furnace and surrended when detectives entered the room.

According to 9th Precinct Det. John D. Wildman, Williams said he placed his hand over the Reid girl's mouth to keep her from screaming and "presed down" when she bit him. Williams said he thought both children were sleeping when he left them in the house, Wildman reported.

Williams was taken before Municipal Court Judge Thomas C. Scalley and held without bond on the rape and homicide charges. He also was charged with housebreaking and attempted rape in the Florida ave case.

Supect To Face Coroner's Jury

WASHINGTON

John Edward Williams, whom police say has confessed to the rape and killing of 4-year-old Nancy Diane Reid, sat quietly through Tuesday's coroner's inquest while four police officers and a witness reconstructed the "horrible" Saturday night tragedy.

When testimony was over, Coroner A. MaGruder McDonald advised the defendant of his constitutional right not to talk.

"Now do you wish to take the stand?" he asked the smallish ex - truckdriver.

"Yes," was the reply.

Williams, clad in blue khaki jail clothing, arose.

No sooner had he sat down, however, than the coroner emphatically repeated his right not to make a statement.

But by this time Williams was squarely facing the jam-packed crowd at D.C. Morgue. He stared blankly, then lowered his eyes.

"I just want to explain," he nearly whispered, voice cracking.

A hush fell over the crowd.

"Wouldn't you rather wait?" prodded the coroner, "until you have consulted an attorney?"

Williams, becoming emotional for the first time all morning, seemed undecided. Then he whispered, "Yes, I guess I would."

• • •

THE JURY deliberated. Less than 15 minutes later, the jury ordered the 31-year-old suspect held in the slaying of the Northeast child sometime last Saturday night in an abandoned house in the 600 block Callen St., NE, where allegedly he had lured her, along with another tot, 3, with a piece of candy.

During testimony it was stated that the defendant had been admitted to the house earlier that afternoon, along with a friend, William Anderson, where he had played cards with some of the occupants of the Reid home, 651 Morton Pl., NE.

Homicide Sgt. Harry A. Pixton said Williams admitted to the assault. He said the defendant stated he took the tots to a nearby store, buying candy, then proceeded to the condemned building, one of two still standing in the block, located about two blocks from the Reid home.

"He then told me he attempted to perform the act on the younger child but that she was too small," Sgt. Pixton said. "So he turned to the older child (Nancy), stating that he completed the act on her while holding her mouth, or throat —he wasn't sure which — to prevent her from screaming."

The tots were found Sunday morning by Officers Bobby B. Campbell and Richard Barbuto, both of the Ninth Precinct, following a large scale police dragnet.

OFFICER Campbell said they were huddled together in the second - floor front room of the window-less frame house.

He said Nancy was clad only in a red knit blouse wrapped around her shoulders and apparently was dead. The other child was in a state of shock and could not speak.

The victim was bleeding, the officer testified, and bore a mark of some sort on her throat.

Williams was apprehended later in a basement in the 1100 block Morse St., NE, where he hid behind a furnace. Making the arrest was Det. John D. Weilman of the Ninth Precinct.

Sgt. Pixton said the suspect was taken to D.C. General Hospital, where the second child was being treated. He said she identified him from among four other men.

Anderson, 1100 block Seventh St., NE, the only witness Tuesday other than police, said he had driven Williams to the Reid home after the latter had stopped off to pawn a watch. He said they bought some liquor, drank from it, then proceeded to Morton Pl., where they were admitted into the house by a woman who remained unidentified.

Anderson was known casually by some members of the Reid household, it was learned earlier. But Williams was a complete stranger to the parents, Mr. and Mrs. George Reid. It remained a mystery whether Williams had been invited in or merely followed Anderson.

ANDERSON left about 5 p.m. he said, leaving Williams in the house with a certain "Ben," the mother of the second assaulted child, and several children.

During the card game, Mr. Reid entered the house and later went to bed. He was awakened by the mother of the other child, who told him the two tots had wandered away in the company of Williams.

HOUSE OF TRAGEDY — This abandoned, almost demolished building, was the scene of the last hours of Nancy Diane Reid, age 4, who died the victim of rape and strangulation Saturday night. She was found early Sunday morning at the house at 632 Callen St., NE, alongside the whimpering figure of a three-year-old companion who was sexually molested but lived.

JOHN E. WILLIAMS
Murder suspect

9630

Alert Issued for Negro in Oviedo Death

By Staff Writer

OVIEDO, Feb. 10 — A statewide alert was issued today for [illegible] accused of the murder of a young Negro here, Seminole County Sheriff J. L. Hobby reported.

Warrants were issued for Aaron Anderson, 42, of Sylvester, Ga., charged with the two offenses. He is believed to have fled to the Petersburg area, Hobby said.

The body of a 16-year-old Negro girl was found early today in a swampy area about one half mile from here near State Road 426. She had been dragged through the brush for some 30 feet, raped, and then stabbed five times in the chest and neck with a butcher knife, which was found at the scene, according to the sheriff.

Anderson had been working as a farm laborer near here for about a year. He boarded with the victim's mother.

Witnesses reported they saw Anderson "pick up the young girl at a school bus stop early Monday," Hobby said. "They said the girl was crying."

The sheriff said Anderson called another Negro here about 10 o'clock last night and told him where the body could be found. The call was traced to the St. Petersburg area.

Lula Bale, Negro, reported Anderson came to her home last night and asked for help. When she refused, officers related, he clubbed her four times with a knife.

Capt. Walter Tipton quoted the woman as saying Anderson admitted raping and killing the girl.

Negroes Rape White Woman In Jacksonville Outskirts

JACKSONVILLE, Fla. (AP) — A 50-year-old white woman was raped, police said, and her husband and another white man were beaten Saturday by two Negroes armed with baseball bats on the outskirts of racially tense Jacksonville.

The Duval County patrol said it could not determine whether the attack had any connection with racial disorders which broke out a week ago in the downtown area.

Police meanwhile moved through the city picking up Negro youths suspected of being involved in a wave of vandalism that followed a near clash between Negroes and white persons last Saturday.

Six teenage Negroes were taken to the city jail for investigation and others were sought. Police said the six were armed with guns or clubs when arrested.

J. C. Patrick, chief criminal investigator, said examination at a hospital left no doubt that the white woman had been raped.

She was treated for head injuries and released. Her 52-year-old husband was admitted for treatment of a broken arm and head injuries.

The other white man, 50, who was staying with the couple in a shack built of scrap lumber south of the city not far from an incinerator, was treated for head injuries and released.

County patrolmen said the woman told them the two Negroes walked into their quarters and threatened them. She said that when her husband asked the Negroes what they wanted, they replied, "We want her."

The scene of the attack is near a Negro section.

Sailor Killed While Aiding Woman Attacked By Negro

PENSACOLA, Fla. (AP) — A sailor was shot to death Tuesday while defending a woman from attack by a Negro ex-convict, Police Chief Crosby Hall said.

John David Brightwell, 21-year-old son of Mr. and Mrs. Walter Brightwell of Louisville, Ky., was struck in the chest and left arm by slugs from a .22 caliber pistol.

A group of sailors beat the Negro man, Johnnie Hill, 29, Pensacola, and he was hospitalized for treatment of minor injuries, Hall said. Hill was listed in fair condition.

The chief said Hill would be charged after his release from the hospital.

Hall said two white women had just left a nightclub early Tuesday when a Negro man pointed a gun at them and ordered them to accompany him to the rear of the building.

The chief continued:

One woman grabbed the gun and started wrestling with the man, while the other screamed and ran back into the bar. Brightwell and another sailor, Wesley Goodvin, ran out and found the Negro holding the woman on the ground.

Goodvin yanked the man backward and held him by the neck.

Brightwell was shot when he struck the Negro from the front.

About five other sailors ran up, beat the man and held him until police arrived.

The woman said the Negro hit her in the face with the gun and dragged her behind the building. She was treated for cuts and bruises. Her name was withheld by police.

Brightwell was stationed at Ellyson Field, an auxiliary of the Pensacola Naval Air Station.

Hill was paroled from prison last February after serving five years of a 30-year sentence on a second-degree murder conviction here.

Two Negro Youths Are Held in Rape Of White Woman

Two Negro teen-agers were held for grand jury action yesterday on charges of raping a 50-year-old white woman and assaulting her two male companions.

Held by Justice of Peace T. O. Holmes following a preliminary hearing were William Blunt, 18, of 2022 Thomas St., and James K. Payton, 18, of 4141 Old St. Augustine Road.

The assault took place in the early morning hours of Sept. 3 at a campsite used by the woman, her husband and another man near Incinerator Road on the Southside.

The two white men were beaten, one suffering a broken arm and fractured ribs, and the woman assaulted, according to testimony at the hearing.

Negro Faces Quizzing for Killing, Rape

PENSACOLA, Nov. 1 (UPI). Johnnie Hill, negro, 29, was held for investigation of murder and rape today after an attack at a white night club in a negro section.

Police said Hill, hospitalized with injuries suffered in a fight, shot John David Brightwell, a sailor, early today when Brightwell and a companion pulled him away from a white woman he was attempting to rape.

Hill stopped two women as they left the night club, police said, and forced one to accompany him at gun point. The woman was struck on the head with the gun and Hill was attempting to rape her when Brightwell and Wesley Goodwyn arrived, police said.

Goodwyn began fighting the Negro and during the scuffle, the gun was fired. Two bullets struck Brightwell.

Police said Hill was on parole from a 30-year second degree murder sentence in the death of a Negro woman who was stabbed.

9631

4 in Atlanta held on attack charge

ATLANTA — A Fulton County grand jury last week indicated four men on a charge of rape, despite a big difference in the stories of the victims and the defendants.

The defendants were identified as Elijah Smith, 20, Willie A. Frye, 47, of Jackson, Bennie Hester, 18, and Henry C. Long, [illegible]

According to the report made by investigators of the solicitor general's office, the victim identified all of the men except Smith. Their report stated that Smith was the driver of the automobile used to pick up the woman as she walked along the street.

The victim also stated that two of the men raped her and that a third made an attempt, but failed.

Investigators also quoted the defendants as denying the charges, contending that the woman consented for a fee which was not paid.

Woman Jerked From Assaulted Husband, Attacked By 3 Men

A 30-year-old Atlanta woman was raped in an alley behind a Fair St. night club early Saturday morning after three men jerked her from her husband and then beat her mate when he attempted to defend her, police reported.

Police said the woman victim received no injury as a result of the reported assault, but that her clothing showed signs that she had been dragged along the ground on her back for some distance.

People in the area heard the woman's screams and called police to the scene to investigate. The woman told police that three men started following her and her husband as they walked from Larkin St. to Elm St.

She said when she and her husband turned off Fair St. onto Elm St., the three youths grabbed her and started dragging her to an alley behind Fair St.

When her husband attempted to stop the men from molesting his wife, the youths beat him and dragged him back into the alley with his wife.

In the alley, one youth raped her once, and a second man started to commit the act, but all three men were frightened away when they heard footsteps approaching the scene, police said.

A witness said he saw the scuffle in the alley and recognized two of the attackers, but, police said, the eyewitness didn't know where the two men lived.

The witness was taken to the police department's identification section to mull through the "mug" files, but he did not find the picture of the two men he recognized as assaulters.

The woman victim's husband was not immediately found following the alley attack, but his wife had one of his shoes in her hand when police arrived on the scene.

One suspect was known by name later Saturday morning, and a second known by description.

Woman Fails To Identify Her Assailant

Constitution State News Service

ALBANY—A 32-year-old white secretary who reported that she was assaulted Monday afternoon by a Negro man in her downtown office, failed to identify her assailant among a lineup of six suspects at the city jail Friday.

Police Chief Laurie Pritchett said more than a dozen suspects have been questioned so far in the intensive manhunt, but all have been cleared.

Two of the six suspects in the lineup Friday were accused of assaulting a 9-year-old Negro girl Thursday by the girl's mother. They will be charged in a formal complaint, officers said.

Rewards totaling $1,500 have been posted for information leading to the arrest and conviction of the secretary's assailant. In addition to the $500 reward offered Thursday by City Commissioner C. B. Pritchett Jr., two others have pledged like sums.

The secretary, the mother of four, said the Negro man wore a handkerchief over his face when he assaulted her at gunpoint.

Doubts Story Of White Woman Who Claims Rape By Holdup Man

BAINBRIDGE, Ga. — (ANP) — Police expressed doubt about a rape story told by a white woman after she and a Negro ex-convict were seized following the holdup of a filling station.

The woman, a peroxide blonde, claimed that she had been held a prisoner by Willie C. Morgan for 12 hours prior to the holdup during which he raped her five times.

Sheriff A. E. White said several points of the woman's story "did not check out" and that he was continuing his investigation.

The suspect, Morgan, 37, of Blakely, was being held in an undisclosed jail.

White said he would be charged immediately with auto theft and burglary, but added that he was doubtful that rape charges would be filed against him.

The sheriff said the white woman, described as a "peroxide blonde," told him she was hitchhiking northward from Florida when the incident occurred.

He quoted her as saying she got out of a truck near Attapulgus south of Bainbridge on U. S. Highway 27 when Morgan approached her and forced her into the woods at knife point.

White quoted the woman, whose identity cannot be revealed under Georgia law, as saying Morgan held her captive for 12 hours, raping her five times.

She also alleged that Morgan forced her to serve as a lookout while he robbed a service station of about $11 in change, bread, sardines and beer.

White said the story the woman told him indicated she had had an opportunity to flee from Morgan but had failed to do so.

He quoted the suspect as saying the woman had hailed him on the highway and submitted to him voluntarily.

The sheriff said the woman would be charged as an accessory to the burglary.

Morgan was arrested in Dothan, Ala., shortly after the incident.

Dothan police said he admitted stealing a car in Attapulgus and burglarizing the service station.

Det. Lt. Henry W. Hilson said Morgan told him he had been released from the Florida penitentiary at Raiford several weeks ago.

Negro Caught After Assault In Georgia

COLUMBUS, Ga. (AP) — A Negro man, wielding a pistol, raped a pregnant white woman here Monday and attempted to assault two other women in a wild sex rampage.

The attacks started around 9:30 a.m. when a Negro man wielding a .38 caliber pistol entered a roofing company office and forced a lone woman employe into a restroom. When she told him she heard someone coming he forced her outside and into a car.

She drove the car, with the Negro crouched on the floor in the rear, until she came to a supermarket. There she stopped the car near a man standing on the curb, jumped out and ran. The Negro jumped out too and disappeared.

Around 11 a.m. police received a report from a residential section several miles from where the man fled the car. This time a woman reported she was raped in her home. A Negro man had knocked on her door, pulled a pistol, forced her into a bedroom, and raped her. She is pregnant and presently under doctor's care for shock.

The third incident occurred around noon when a Negro man attempted to enter another woman's home in the same neighborhood. She saw his gun, slammed the door shut, and called police.

Officers converged on the area, using a description of the man who fled the car, and arrested him as he attempted to flee the vicinity of his third crime.

White Women Identify Man In Rape Case

COLUMBUS, Ga. (AP)—Three white women identified a Negro man Wednesday in recorder's court here as the person who assaulted and threatened them.

A 20-year-old Negro laborer, George Watt, was the accused man who pleaded guilty to charges of rape, kidnapping, attempted rape and robbery, pointing a pistol, and having a pistol without a license. He was bound to superior court without bond.

Watt is charged by police in connection with a wild rampage here Monday morning when a Negro man forced a woman at gunpoint from an office and into a car from which she safely fled a short time later; allegedly raped another woman in her home; and pointed a pistol at a third woman as he attempted to enter her home.

Police said the woman at a roofing company office, where the Negro began the series of attacks, knew Watt because he had once worked at the place.

The office employe was forced to drive her assailent several miles across town, then she suddenly turned off the street in front of a supermarket, jumped out of the car, and ran. The Negro fled the scene and disappeared.

The rape of the housewife occurred a short time later some distance from the supermarket. He atempted to enter a second house in the same neighborhood as the rape victim was found when the woman saw a pistol the Negro was carrying and slammed the door in his face.

Watt was arrested and charged shortly after the third incident. The escapade began around 9:30 a.m. and ended around noon with Watt's arrest.

Arrest Man Here On Complaint Of Georgia Woman

Atlanta Daily World
Atlanta, Ga
wed. 10-19-60

A Griffin, Ga., man was arrested on [illegible] on suspicion of molesting a [illegible] Tuesday morning after the woman complained to police that the suspect had already followed her and made "improper" gestures to her.

The arrested subject was identified in police records as Willie Williams, 52, of Griffin, Ga. He was arrested in the 400 block of University Ave., S. W., police reported.

Patrolmen J. L. Melton and P. E. Johnson said a woman they identified as Mrs. Hazel Jones, white, 32, of Riverdale, Ga., made the complaint against Williams.

The officers said the woman complained that the man had apparently followed her to a service station at Georgia Ave. and Cooper St. after she left a downtown restaurant.

When she pulled from the service station, police quoted her as saying, the man drove his car alongside her vehicle at a traffic light and made improper "advance and gestures" to her.

Condemned Rape-Slayer's Plea Denied

The Atlanta Journal
Constitution

REIDSVILE, Ga., (UPI)—Reidsville City Court Judge Robert L. Carr has denied a plea for a writ of habeas corpus for convicted rape-slayer James Fair Jr.

Fair, a Negro of Bayonne, N.J., was remanded to the custody of the warden of the Georgia state prison here to await setting of a new date of execution by the Early County Superior Court.

The request for the writ was the latest in a series of moves by attorneys to win a new trial for Fair. It postponed the scheduled electrocution of Nov. 11.

Fair was convicted on May 17, two days after his arrest, when he confessed to raping and slaying an 8-year-old Negro girl. Court officers said Fair refused the offer of a trial.

27h(1) 1960

GEORGIA

9632

Police Kill Fleeing Rapist Here

A Negro man who had been sought by police for more than seven months Friday was shot and fatally wounded by two patrolmen who said they surprised him struggling with a white woman in the dimly lighted hallway of a southwest Atlanta apartment house.

Identified as James Edward Fuller Jr., 34, of a Gordon road, SW, address, the Negro died soon after being admitted to Grady Hospital with a bullet wound in the leg.

TRIED TO RUN

Patrolmen D. L. Prince and J. R. Watkins said that when they entered the hallway of the apartment house on Washington street, SW, the Negro at first attempted to run, holding the struggling 40-year-old woman as a shield.

He then hurled the partially clad woman to the floor and bolted down a back stairway from the second floor hallway, crashing through a locked door. Officers said they opened fire when he ignored commands to halt.

Officers searching the area found Fuller later crouched beside a house two doors away, bleeding profusely from the leg wound. They rushed him to Grady Hospital.

ENTERED HALLWAY

The woman, who resides at another address, said she had gone to the Washington street apartment house to awake a friend who was supposed to report for work. Detectives W. B. Blackwell and J. F. Inman were told.

As she entered the hallway, she was quoted, a Negro man grabbed her, ripped off her clothes, slung her to the floor and raped her.

Prince and Watkins said they were called to the address by an occupant in a first floor apartment who reported that she heard "a man and woman fighting upstairs." They said they climbed the stairs and found the two struggling.

SINCE MAY

Sgt. J. E. Helms said detectives had been searching for Fuller since last May when he was identified as one of three men wanted in an assault and rape reported on Richardson street, SW, only a short distance from the Washington street address.

Two suspects were arrested in that case, Helms related, and the third was identified as "Big Jim." He added Fuller, who had served a previous sentence for rape, was known by that nickname.

Helms said enlarged pictures of Fuller would be shown to approximately two dozen white women who have reported assaults or attempted assaults in the same area. He added all the cases followed the same pattern and the description of the perpetrator was generally the same.

The victims included a 67-year-old woman who was held at knife point and raped, Helms related. He said a 46-year-old woman was stabbed three times in the shoulder and arms with a butcher knife and a 14-year-old girl was held with a sack over her head and assaulted.

9633

Sex Killing of Child Jails 3 at Blakely

Constitution State News Service

BLAKELY—Searchers found the battered body of an 8-year-old Negro girl after an all-night hunt Sunday only 125 yards from the child's home. Police said she had been sexually assaulted.

The girl, Evon Holmes, was the daughter of Mr. and Mrs. Bunzie Holmes, both teachers at the Washington High School here.

The parents became alarmed when their daughter disappeared from the front lawn where she had been playing Saturday afternoon and failed to return home by nightfall. Police were notified a widespread search was started.

Sheriff Sid Howell said three men were being held for questioning in connection with the case Sunday. The girl had been observed talking to a Negro man near her home shortly before she disappeared, he said. Police said the man was one of the three in custody.

Neighbors joined police in the long search. The body, described by officers as brutally beaten, was found early in the morning behind several buildings used in farming.

The child was killed by several blows to the head with a blunt instrument.

Coroner L. B. Jones said an inquest will be held after police have time to investigate. It possibly will be Monday, he said.

Negro Seized In LaGrange Rape Case

LA GRANGE (UPI)—Willie Allen Hill, 21-year-old Negro, was arrested Tuesday on charges of suspicion of armed robbery and rape of a white woman.

The woman charged she was raped twice by a Negro who

Police Doubt Story of White Woman Who Claims She Was Raped; Arrested for Robbery

Claims She Was Attacked Five Times During 12-Hour Kidnap Period

Caught With Negro During Hold-Up

BAINBRIDGE, Ga.—(ANP)—Police expressed doubt about a rape story told by a white woman after she and a Negro ex-convict were seized following the holdup of a filling station.

The woman, a peroxide blonde, claimed that she had been held a prisoner by Willie C. Morgan for 12 hours prior to the holdup during which he raped her five times.

Sheriff A. E. White said several points of the woman's story "did not check out" and that he was continuing his investigation.

The suspect, Morgan, 37, of Blakeley, was being held in an undisclosed jail.

White said he would be charged immediately with auto theft and burglary, but added that he was doubtful that rape charges would be filed against him.

The sheriff said the white woman, described as a "peroxide blonde," told him she was hitchhiking northward from Florida when the incident occurred.

He quoted her as saying she got out of a truck near Attapulgus south of Bainbridge on U. S. Highway 27 when Morgan approached her and forced her into the woods at knife point.

White quoted the woman, whose identity cannot be revealed under Georgia law, as saying Morgan held her captive for 12 hours, raping her five times.

She also tlleged that Morgan forced her to serve as a lookout while he robbed a service station of about $11 in change, bread, sardines and beer.

White said the story the woman told him indicated she had had an opportunity to flee from Morgan, but had failed to do so.

He quoted the suspect as saying the woman had hailed him on the highway and submitted to him voluntarily.

The sheriff said the woman would be charged as an accessory to the burglary.

Morgan was arrested in Dothan, Ala., shortly after the incident.

Dothan police said he admitted stealing a car in Attapulgus and burglarizing the service station.

Detective Lt. Henry W. Hilson said Morgan told him he had been released from the Florida penitentiary at Raiford several weeks ago.

$500 Reward Set After Albany Rape

Constitution State News Service

ALBANY—A city commissioner Thursday posted a $500 reward for information leading to the arrest and conviction of a Negro man who reportedly raped a 32-year-old white secretary in her downtown office here.

Commissioner C. R. Pritchett Jr., called a meeting of the city police commission Thursday, and criticized police handling of the case.

The victim reported the incident happened about 4:45 p.m. Monday. Police were notified at 6:15 p.m.

The woman said her assailant forced her to submit at gunpoint.

Police Chief Laurie Pritchett said the police department went to work on the case as soon as it was notified and has not let up. Mayor Pro Tem Buford Collins, along with commissioners R. H. Warren III and George Johnston, said they felt the police department had handled the case well.

Chief Pritchett said a GBI agent will be assigned full-time to the investigation to assist city police, officers of the sheriff's department and county police.

Commissioner Pritchett demanded that every effort be made in the case and requested that the City of Albany match his $500 reward.

City Attorney Grady Rawls said, in his opinion, the city could not legally offer reward money in the case.

"Rape is a crime against the state and the governor alone is authorized to offer such a reward," Rawls declared.

Chief Pritchett said numerous suspects have been questioned but none has been held.

"The victim admitted she could not identify the Negro. Our police officers are not magicians, but they are working on the case in a strict and thorough manner trying to keep tensions down until they can have some facts to work on," the police chief said.

Rape Account Of White Woman Is Doubted By Police

BAINBRIDGE, Ga. — (UPI) — Decatur County officers Monday checked the story of a 43-year-old "peroxide blonde" who accused a Negro ex-convict of holding her prisoner 12 hours and raping her five times.

Sheriff A. E. White said several points of the woman's story "did not check out" and that he was continuing his investigation.

The suspect, Willie C. Morgan, 37, of Blakely, was being held in an undisclosed jail. White said he would be charged immediately with auto theft and burglary, but added that he was doubtful that rape charges would be filed against him.

The sheriff said the white woman, who described as a "peroxide blonde," told him she was from Rossville, and was hitchhiking northward from Florida when the incident occurred Sunday.

He quoted her as saying she got out of a truck near Attapulgus south of Bainbridge on U. S. Highway 27 when Morgan approached her and forced her into the woods at knife point. White quoted the woman, whose identity cannot be revealed under Georgia law, as saying Morgan held her captive for 12 hours, raping her five times.

She also alleged that the Negro forced her to serve as a lookout while he robbed a service station of about $11 in change, bread, sardines and beer.

White said the stor ythe woman told him indicated she had had an opportunity to flee from Morgan, but had failed to do so.

He quoted the suspect as saying the woman had hailed him on the highway and submitted to him voluntarily.

The sheriff said the woman would be charged as an accessory to the burglary.

Morgan was arrested in Dothan, Ala., shortly after the incident. Dothan police said he admitted stealing a car in Attapulgus and burglarizing the service station. Det. Lt. Henry W. Hilson said Morgan told him he had been released from the Florida penitentiary at Raiford several weeks ago.

INNOCENCE OBVIOUS, COURT HOLDS

Vocal Molesting Charged By White Woman, He Was A Mute

By JOHN BRITTON

A West Point, Ga., deaf-mute man was freed when molesting charges against him were dismissed at Recorders Court Friday. He couldn't say a word in his own defense, nor did he hear the charges as they were read against him.

Hugh Dorey Davidson, 21, was arrested last Friday and held in jail almost seven days on police charges that he molested a white woman August 12 at the intersection of Commodore Drive and Bankhead Ave., N. W.

The white woman was in court Friday all set to testify against Davidson. She was to have been joined in the prosecution of the case by city vice detectives C. E. Wright and A. S. McKinnon.

Apparently informed of the case before trial, Judge James E. Webb faced the defendant and the prosecuting officers and dismissed the case against Davision.

The reason: Davidson was a deaf mute.

In the words of Judge Webb, "It was established that the man couldn't hear and couldn't talk and it is obvious he couldn't have done what he was accused of."

Davidson didn't even hear the words that set him free. It took several fingers pointing toward the exit door before the defendant got the message.

Detective McKinnon said the white woman, who was identified, told him that Davidson approached her at a deserted intersection last Friday.

McKinnon said the woman told him that Davidson mumbled out a command that sounded to her like he was saying "get into my car."

McKinnon said the woman further told him that she walked hurriedly from the scene, and that Davidson jumped in his car and circled the block, meeting her at the next corner. She said he approached her again, but fled when she flagged down another passing automobile.

McKinnon said the woman told him that the deaf-mute defendant "said" several things to her that, apparently in the officer's opinion, constituted molesting. Davidson was charged with disorderly conduct-molesting a white woman.

The trial was originally scheduled in Recorders Court Monday afternoon, but was reset until Friday for further investigation of Davidson.

Webb Friday didn't go into any testimony. He stopped the prosecuting officer short as he was about to present his case and announced his opinion that the deaf-mute man could not have molested the white woman in the way she complained.

POLICE BEAT

Atlanta Daily World

GIRL TELLS POLICE OF ASSAULT BY TWO MEN

Atlanta Ga. Jan 1-2-60

By PAUL DELANEY

Police are investigating the charges of a 19-year-old who said she was taken into a briar patch by four men and raped by two of them. The victim told officers that she and her husband stopped at a northeast side grill to eat after attending a New Year's Eve party.

A man she had known for two years called her over to a car. She said she got in but told them she would not go with them. They said they would drive her home. Her friend, she said, was home first—on the southwest side. The other men drove out West View. She stated that she told them that was not the way to her house. They said she would be alright.

They took her to some woods on Hilton Road. She said that two of the men objected and got out of the car, one saying he has a sister and would not want anything like that to happen to her.

The two remaining took turns in raping her, she told police. She said she ran away bnt they caught her and beat her. They took her shoes off so she couldn't walk on the briars. She stated they said they would leave her to die. She was taken to Grady and examined and treated.

Parker Probe Jury Ends First Week

Birmingham Post-Herald

BILOXI, Miss., Jan. 2 (UPI)—A Federal Grand Jury Friday completed the first week of its probe into the Mack Charles Parker lynching at Poplarville. The probe is expected to end next week.

Ten witnesses were finally dismissed following Friday's session.

Previously not more than three witnesses had been dismissed on any single day. The speed up is the result of a hearing before U. S. Judge Sidney Mize Thursday in which he settled an argument concerning use of the Fifth Amendment.

Mize said his ruling should prevent any further disputes over which questions witnesses may refuse to answer.

Among the witnesses dismissed Friday were former Pearl River County Sheriff Osborne Moody and former Jailer Jewel Alford.

Rape Suspect Killed By Police

Birmingham Post-Herald

ATLANTA, Jan. 2 (UPI)—A Negro man with a record of sex offenses was killed by police today when trapped dragging a nude white woman down the hallway of an apartment building.

The Negro, Jesse Edward Fuller, 34, bled to death from a bullet-severed artery in the hip. At least 10 shots were fired by police as Fuller tried to flee.

Neighbors who heard screams notified police. Police rushed into the apartment and found Fuller grappling with the woman whose clothes had been ripped off.

She said she had gone to the apartment house to awaken a friend and that the man grabbed her in the hall, tore off her clothes and raped her. Fuller had a previous record of convictions for rape and assault with intent to rape. In his car parked outside police found a blackjack and women's stockings.

Youth On Trial Third Time

Atlanta Daily World

Woman Admits She Was Unable To Identify Smith As Her Attacker

Atlanta, Ga. Jan. 1-19-60 27h(1)

By JOHN BRITTON

At the close of the first day's session Monday in a trial pitting the full resources of the state against Melvin Lewis Smith, a star prosecution witness lowered her head and admitted from the witness stand that she could not identify the defendant "that night."

Under the heavy [illegible] of defense attorney Dan Copeland, the young woman, one of the two who accused Smith of rape, further admitted that she didn't "see him too well that night," in referring to the person she claimed entered her home December 9, 1958, and forcibly attacked her.

A second woman who accused Smith of the alleged rape for which he is now on trial was put through a grilling recollection of her background by Attorney Copeland who persuaded her to admit that she had engaged in innumerable intimacies prior to the night she alleged that she was raped.

When asked to estimate the number of times she had engaged in intimacies outside of wedlock, the young woman admitted that she could not remember.

Becoming more noticeably emotional as Copeland delved deeper into her background, the young woman nervously pleaded the Fifth Amendment when Copeland asked her to name the man or men with whom the intimacies had been shared. She refused to answer that question on the ground that it might tend to incriminate her.

COULDN'T IDENTIFY

Back to the night of the alleged attack, the first woman mentioned above admitted that she couldn't identify Smith the night she claimed she was raped, but stated positively later on that he was the man.

Copeland later reminded her of a statement he alleged that she made in his presence and in the presence of prosecuting Detective R. P. McGhee.

That statement, according to Copeland, was that she said it may not have been Smith who attacked her in her home. Copeland inferred that the foregoing words were spoken sometimes before Smith's first trial on the same charges in January of 1958.

The woman first pleaded that she could not remember making such a remark, but Copeland asked would she actually deny ever having made the statement. To this query, she admitted that she could not deny making the observation that it may not have been Smith who allegedly raped her.

The second woman admitted on the stand that her mind was a bit hazy the night she claimed that she was raped. She said that she "blacked out" during portions of the alleged attack and that she was in hysterics. But she too later positively identified Smith in a police line-up as the man who attacked her in the Southeast Atlanta apartment.

The time contrast between the moment when police first arrived on the scene shortly after the alleged rape and the time the women finally reported to police that they had been raped was also attacked in the queries of defense attorneys.

ARRIVED PROMPTLY

Both women admitted the police arrived at the scene promptly the night the incident allegedly occurred. Both also admitted that not a word about any alleged rape was mentioned that night.

They both admitted that it was not until approximately eight hours after the first set of police arrived that a report of rape was made to detectives who arrived on the scene to investigate a burglary report.

Apparently, according to the women's own testimony, when police initially arrived on the scene, a report of a "prowler" was made, and nothing else.

The women who accused Smith were the only two witnesses who took the stand Monday. The whole morning was spent choosing 12 white men to serve on the jury that was to hear the Smith case.

At the end of the selection, 12 white men had been chosen to listen to the capital punishment case. Ten prospective jurors were excused from service on the Smith jury because they said they were conscientiously opposed to capital punishment.

At the very outset of the case, trial Solicitor Frank French, in outlining his case, told the jury that he expected, after presenting all of his evidence, a verdict of guilty, without recommendation of mercy. The lack of a recommendation would automatically mean the electric chair for the defendant.

On the other hand, in his introductory argument, association Defense Attorney Phillip Slotin told the jurymen that he expected to prove that "this is one of the most incredible cases every brought to the court by the solicitor."

The case will move into its second day today at 9:40 a. m. The state will still be presenting its case against Smith and no indications were given as to how long the solicitor intends to bring in witnesses.

All afternoon was spent Monday in the direct and cross examination of the two accusing women. Approximately two hours of testimony each was extracted from the two when they were on the stand Monday.

This is the third trial for 22-year-old Smith who had a mistrial in the first hearing and was convicted and sentenced to death at the secon dtrial. An appeal to the Georgia Supreme Court by the defense was the factor that at least temporarily, saved Smith's life and cleared the way for the new trial that is presently going on.

Defense attorneys, during their questioning of the accusing women, repeatedly refer to the transcripts of testimony recorded from the two previous trials, and on several occasions Monday, managed to derive apparently conflicting statements from the women.

DETECTIVE, ARMY SERGEANT TELL COURT WOMAN ADMITTED SMITH WAS NOT HER ATTACKER

Defense Charges Whispering Between Judge And Prosecutor

By JOHN BRITTON

An Atlanta city detective, subpoenaed by the defense, hushed a packed courtroom Tuesday afternoon with his surprise testimony that an alleged criminal assault victim told him positively that the defendant on trial was not the man who raped her.

And to add more fuel to that defense-built fire, Defense Attorneys for Melvin Smith introduced still another witness, a U. S. Army sergeant, who swore that the same young woman told him that the defendant "was not the man," during a conversation in a barroom at a local army base.

Still further, a second city detective who is assisting the solicitor general's office in the prosecution of the case, admitted under cross examination that the same alleged victim acknowledged, in his presence, that she may have been mistaken in identifying Smith as the person who allegedly raped her in her apartment in December of 1958.

THE SECOND DAY

The trial of Melvin Lewis Smith on rape charges moved more swiftly during its second day Tuesday and featured heated byplays between the defense attorneys and presiding Judge E. E. Andrews; it also featured the testimonies of defense witnesses that apparently was designed to be damaging to the state's case against the defendant.

As the fourth witness for the defense, City Detective L. W. Cook, a member of the Atlanta Police Departments burglary squad, testified that during his questioning of the youngest of the alleged rape victims, she said positively that the grocery delivery boy who worked at a nearby store was not the man who allegedly raped her.

Smith sometimes delivered groceries in his role as an employee of a Memorial Drive market.

Cook, who investigated the case because the first report received by the police department was a burglary complaint, said he and his partner talked to the two women for approximately 20 minutes the morning of December 9 before either of them mentioned that they had been raped.

And then, Cook continued, the women made the rape complaint only after the the investigating burglary officers asked them if they had been molested by the alleged burglar.

DELIVERY MEN

Questioned about the people who had been in her house previously, Cook said the woman mentioned delivery men. And then after mentioning a grocery delivery man, Cook testified the girl following police queries, denied that the grocery boy at the Memorial Drive super market where Smith worked was the person who she claimed attacked her.

Sgt. Harold Sizemore, of the United States Army stationed at Fort McPherson, located in Metropolitan Atlanta, took the witness stand and testified that the younger of the alleged victims told him "Me and (the other girl) are messed up in a rape case. I don't know why (she) did it because that boy she named had nothing to do with it."

Sizemore held to his testimony despite cross examination by trial solicitor Frank French, and despite the fact that Judge Andrews interceded in the serviceman's testimony and advised him that he could plead the Fifth Amendment if his testimony might tend to incriminate him (Sizemore)).

ANOTHER WITNESS

Detective R. P. McGhee, a homicide specialist and a prosecution witness in the case, admitted, under cross examination, that he was present when one of the alleged victims told Defense Attorney Dan Copeland that she was not sure that Smith was "the man."

The girl, who later took the witness stand Tuesday upon call by the defense, claimed she made the statement about Smith because she was harrassed by Copeland.

But the defense attorney read her testimony from a previous trial in which she reportedly testified that the alleged harrassment that she claimed caused her to say what she did was directed at her from another source other than Copeland.

While on the witness stand, the young woman told the jury that she could not deny that she said Melvin Lewis Smith may not have been the man who allegedly attacked her and her friend in her Southeast Atlanta apartment.

THREATENED GRANDMOTHER

She said that the person who did rape her threatened to kill her grandmother if she did not submit. She said her grandmother was in a bedroom only a few short steps across the hall from the scene of the alleged rape.

She further testified that she did consent to the intimacies suggested by the man who was allegedly in her apartment that night.

Under further questioning regarding why the alleged victim did not report a rape the instant uniformed policemen first appeared at her home to answer a burglary call about two hours after midnight December 9, Cook said the woman told him that no rape report was made because the uniformed men "didn't ask her about any rape."

Another detective who investigated the case, who is now a police sergeant, testified for the state and said that Smith allegedly confessed being at the woman's apartment but denied raping her and denied knowing her friend at all.

DECEMBER 9

But, at the beginning of interrogation, Police Sgt. J. F. Johnson said, Smith told them that the woman attempted to entice him into her apartment but he told her that "he wanted to have nothing to do with her."

And, according to Johnson's testimony, Smith allegedly admitted being at the woman's apartment about 7:30 p. m., December 9, 1958. The alleged rape incident occurred between midnight and 1:30 a. m., December 9, according to all known records.

The last defense witness before the trial was recessed for the day was a Grady Hospital doctor who examined the women about seven hours after the alleged rape occurred.

The doctor testified that he found no evidence of even an intimate relation during his examination of one woman, and that a trace of evidence was found in the other.

But, the doctor continued, the signs that he found during his examination of the woman "probably" could have been made less than 24 hours prior to the time he examined her.

As the defense was calling what they have previously termed one of the most essential witnesses in the case, Judge Andrews called for an early recess. He told the defense attorneys that he had other matters to attend to and that the Smith trial would resume again at 9:30 a. m. this morning.

SAYS STATE HID TESTIMONY

In added sidelights that built up tension throughout the proceedings Tuesday, Defense Attorney Phillip Slotin and Judge Andrews passed several heated words concerning the admissibility of certain evidence.

Epecially noticeable was the defense attorney's attempts to inject into the hearing his contention that the prosecution attempted to suppress important evidence in not using the testimony of Detective Cook in the state's presentation.

Judge Andrews would not allow the suppression contentions to be used in front of the jury and would not permit its use as a factor in the defense of the case.

At another time during the trial, the defense attorneys objected to Judge Andrews whispering to trial Solicitor Frank French out of the hearing range but in the plain view of the 12 white men who are serving on the jury hearing the Smith case.

The judge said that he and the solicitor were not discussing the case, but the defense attorneys said they wanted the record to show that the solicitor and the judge were whispering during the trial of the Smith case.

Today at 9:30 a. m., the defense will resume their fight with a further presentation of witnesses in behalf of Melvin Smith. An estimate on the length of time the trial will take has not been discussed openly and no idea has been expressed by either side on that matter.

Atlanta police surprise, slay Negro in attack

ATLANTA, Jan. 8—(AP)—Police bullets routed a Negro man surprised while struggling with a half nude white woman in a darkened hallway in Southwest Atlanta early today.

The fleeing Negro, identified as James Edward Fuller Jr., 34, was found later across the street bleeding profusely from a bullet wound in the thigh. He died less than two hours later at Grady Memorial Hospital, apparently from loss of blood.

The woman, unclothed from the waist down, told police the Negro grabbed her and raped her in the hallway on the second floor of the house. Officers had been called to investigate a report that a man and woman were fighting.

Patrolmen J. R. Watkins and D. L. Prince said when they turned their flashlights on the hallway, the Negro man fled.

"We fired 10 shots at him as he was running down the back steps," the officers said.

Police records showed that Fuller had two previous convictions for rape and assault with intent to rape.

9635

PARK ATTACK SHOCKS CITY

Hunt Assailant of British Teacher

Pressure from Mayor Daley, State's Atty. Benjamin S. Adamowski, Police Supt. Orlando W. Wilson, and virtually every other Cook county authority intensified the search Wednesday for the man who attacked an attractive English school teacher at noon Tuesday near Buckingham fountain in Grant park.

Miss Joy Rosemary Grant, 30, who had been here two days, was sitting on the grass when a Negro grabbed her around the throat, dragged her into a clump of bushes, beat her, and ripped off her undergarments.

Passport photo of Joy Rosemary Grant.

Find Victim Wasn't Raped

Police said that pathologists had informed them Wednesday afternoon that Miss Grant had not been raped.

Miss Grant, who suffered a double fracture of the jaw and brain concussion, is in Henrotin hospital. She was visited Wednesday by William Boyes, British consul, and his wife. Police prohibited anyone else from talking to her.

Her purse, containing 350 pounds in English currency, was found near the spot where she was attacked. She was able to tell police before she became unconscious that her assailant took $20 from it.

Seven suspects were arrested as police doubled their guard in the Grant park area, but all were released when the sole witness, a passer-by, was unable to identify them.

"While this is an unfortunate incident," Mayor Daley told a press conference, "it could happen in any city in the world. We know the police department is doing everything it can to give everyone police protection in Chicago."

Reporters asked the mayor if it weren't true that many Chicagoans fear to go into public parks at night because of rapists, robbers, and other criminals.

Wilson Echoes Mayor

"This is a problem of police administration," the mayor replied, "and I'm sure steps are being taken so that these things will not happen and there will be an improvement as Police Supt. Wilson's program goes on."

Wilson echoed the mayor's sentiments:

"This certainly was an unfortunate incident," Wilson said, "but crimes of this kind occur all over the world. Sex attacks are vicious crimes and we will use every means in this command to apprehend the assailant. Equally important is the prevention of such attacks.

"We can control such attacks thru preventive patrols. Our problem is to have a policeman at a given point where a criminal is likely to attack.

"This can be done because the criminal follows a given pattern, but despite such control there is always a possibility that individual crimes may occur. This incident surprises everybody in that they feel that such a crime could not possibly occur in such a spot at such a time of the day."

Adamowski said that "the police better wake up and quit saying the crime statistics being published now are true but don't mean anything; that they are only paper statistics."

"When are we going to know that the police are patrolling the city of Chicago, especially in the daytime," Adamowski asked.

'One Step from Jungle'

"Knowing that you can't go out at night is bad enough, but Tuesday's assault in broad daylight means that Chicago is only one step from the jungle."

Charles Hansen, 117 Van Buren st., who saw the attacker running out of a clump of bushes, clad in a yellow sweater and dark trousers, was taken back to the park Wednesday by police to look for the man, but could not identify anyone.

Acting Capt. Edward Egan of Central police said that Grant park is a "low crime area." The last major crime there, he said, was the murder Aug. 6, 1952, of Patricia Kahler, 18. She was shot to death when her companion, Herbert Hoffman, 17, was wounded by a gunman, Bernard Richardson Jr., 32. Richardson then shot himself fatally.

Names Youth for Attack in Grant Park

A swaggering 16 year old who told police his friends call him "Hard Hitting Jasper" was identified Monday by a British teacher as the man who beat and robbed her at noon last Tuesday in Grant park.

[TRIBUNE Photo]

Jasper Mines in auto, arriving at Henrotin hospital.

Miss Joy Grant, 30, of London, made the identification from her bed in Henrotin hospital. A short time later she underwent 90 minutes of surgery to set her baldly fractured jaw.

Held in the attack is Jasper Mines, 2222 State st. He denied attacking Miss Grant but admitted two similar daylight assaults on women. Police charged him with all three crimes, with positive identification by each victim.

Police Check Alibi

Mines was to be confronted by two other witnesses to the Grant park crime. Police also began extensive questioning of his friends to check his alibi that he was with them when Miss Grant was attacked.

Miss Grant's physician said she slept well under sedation after the jaw surgery and probably will be hospitalized for two or three weeks. He said she is cheerful and shows no complications of a brain concussion she also suffered in the assault. She is due back in England Sept. 21 to resume teaching.

Police said Mines, who quite 8th grade to work part time on a soft drink truck, boastfully told them of his reputation as a slugger in the public housing project where he lives with his parents and nine brothers and a sister. His father, Dee, 47, is a fireman for the city bureau of sanitation, police said.

Arrest Follows Assault

The arrest of Mines for the Grant park attack came after an assault in which a 62 year old woman named Mines as the assailant but refused to press charges.

The woman went to police headquarters at 1121 S. State st. Sunday night and complained that a youth who had been riding a red bicycle molested her near 1600 Michigan avenue.

Lt. John Mulherin sent Patrolmen Joseph Antonelli and John Jamicich to the scene. They arrested Mines at 2100 Michigan and took him to the station, where the woman identified him as her assailant. But she refused to sign a complaint and balked at giving her name.

Was On Probation

Mulherin turned the boy over to juvenile authorities, who sent him home. They learned later he had been but on one year's probation Wednesday in Juvenile court for auto theft.

Police, recalling that two other women had been slugged by a youth riding a red bicycle near 1600 Michigan, went to Mines' home and took him back to the 1st district station.

The two previous attack victims viewed Mines there and identified him.

Mrs. Nora Gregor, 43, of 1312 S. Wabash av., said he seized her Aug. 20 in Michigan avenue, dragged her into a truck, and tried to rape her.

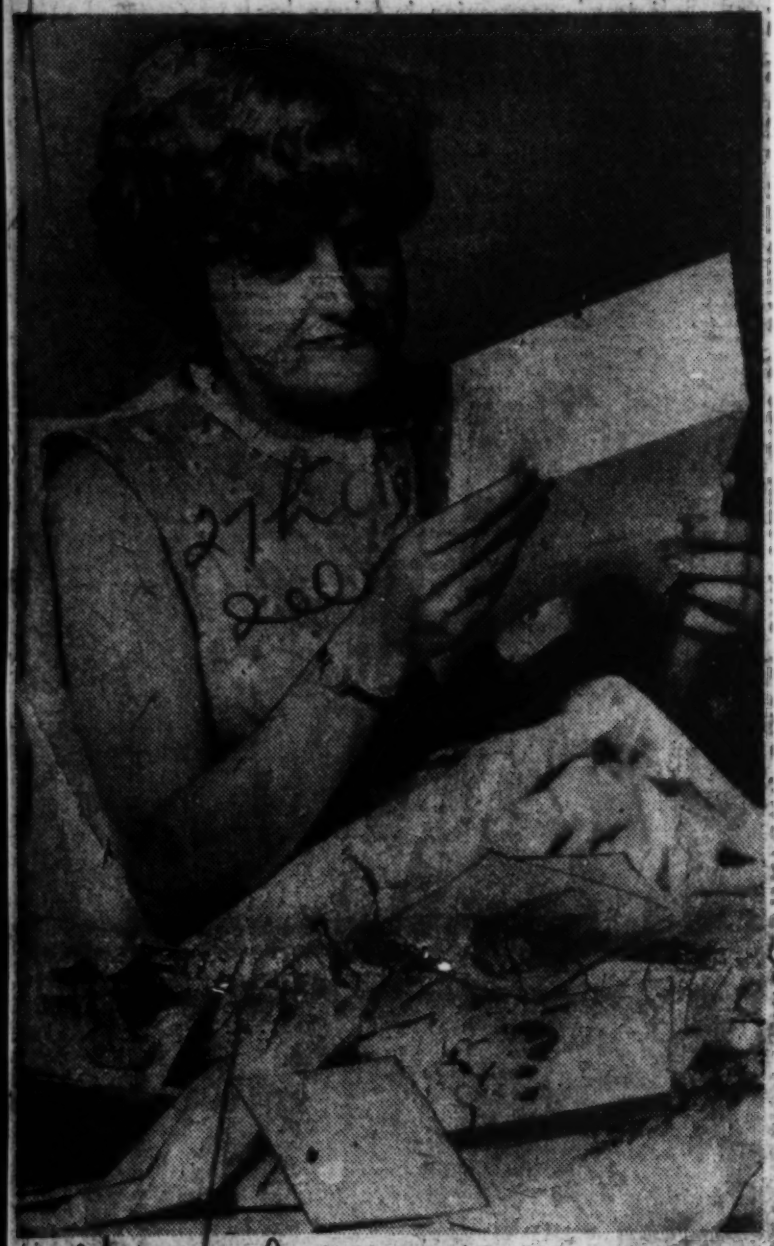
Drags Woman into Lot

Miss Janet Franko, 23, of 727 W. 48th pl., complained that Mines dragged her into a lot at 1455 Michigan av. last Saturday. A passer-by frightened Mines away after he slugged and attempted to rape her, Miss Franko said.

Mines was charged with two charges of assault to rape and three of assault to rob. He is in the Audy Juvenile home awaiting a family court hearing Tuesday and grand jury action.

During lengthy questioning by Sgt. John Haberkorn of Central police and Asst. State's Atty. Louis Garippo, Mines admitted slugging the two women but repeatedly denied attacking Miss Grant. He also denied any sex motivation. In each case, his aim was robbery, he said.

British Teacher Will Not Testify in Park Assault



Miss Joy Grant, British teacher who was beaten in Grant park reads some of the letters she has received while she is recovering in Henrotin hospital. (TRIBUNE Photo)

Unsure If Youth Is One Who Beat Her

BY JACQUELIN SOUTHERLAND

Miss Joy Rosemary Grant will not testify against the youth accused of attacking her in Grant park, she said Sunday from her hospital bed in a private room in Henrotin hospital.

"I cannot identify him," said the British teacher, speaking with a little difficulty thru wired jaws, broken in the beating Aug. 23.

"He has all the particulars that I remembered—very dark skin, proturberant eyes, broad cheek bones, and a pointed chin—but so do hundreds of other people. That doesn't add up to recognition.

'Just Do Not Know'

"I just do not know if he is the one, but I wouldn't be a bit surprised if he was."

The accused is Jasper Mines, 16, of 2222 State st. He has denied attacking Miss Grant, but has admitted two similar daylight assaults on women, police said. Miss Grant at first identified Mines as the youth who beat and robbed her at noon near Buckingham fountain.

Miss Grant, 30, who says she bears Chicago no ill will as a result of the attack, recounted the events leading up to it.

Traveling Alone

She was on her first visit to the United States and traveling alone while on vacation from her job as an English literature teacher at Coloma college in Kent, England. She had arrived in Chicago only two days before, after a 30 hour bus trip from New Orleans.

As she walked thru Grant Park, she sensed a man following her. She zigzagged across the grass to see if he really was following. He was.

When she turned to look at him, he turned his face.

She sat beside a man on the grass and said: "I am going to sit beside you for a few minutes because I think that man is following me." She thought at the time that it was odd he didn't answer. The man turned out to be a deaf mute.

Knocked Unconscious

Then the attacker crouched in front of her and sprang, she said. She lost consciousness.

Despite this terrifying experience, Miss Grant says she loves the United States and hopes to see more of Chicago once she is released from the hospital. She said her doctor predicted she would be hospitalized seven weeks.

Mines is in Audy Juvenile home pending a hearing next Monday in Family court in the two attacks he admitted. Capt. Frank Pape, commanding officer of the police central district, has said he is satisfied that Mines also assaulted Miss Grant.

9636

Identify Englewood Father As Rapist

Crusader Chicago, Ill.
Jan. 2, 1960

David Elder, 25-year-old father of four children, who was captured Saturday night by two mechanics after he had raped a 36 year old mother of two in a vacant lot at 55th and Wells st., was given a lie test about two murders, the Dec. 7 killing of Mrs. Betty Jarolin, 74, a recluse, found beaten to death in her home at 6152 Sangamon st., and the March murder of Miss Thelma Campbell, 58, sister of Ald. Kenneth Campbell (20th) found dead in her apartment at 6721 S. Carpenter.

Englewood police said Elder was captured when he tried to run after his victim started screaming for help. Ernest Johnson, 37, 6038 Union ave., and Walter Tasley, 37, 4541 Calumet, who operate a nearby repair garage, heard the woman's cries and chased and caught Elder near the scene of the rape. Elder admitted rapping the woman.

Police say he will be questioned about a series of Englewood district rapes, including that of a schoolgirl forced to accompany her attacker from a Catholic church mass.

Suspect Rape in Beating of Secretary

Chicago Daily
Chicago, Ill.

A woman was beaten severely Wednesday in the A. E. Anderson Construction company offices at 10332 Commercial av.

Tribune 1-7-60

Mrs. Marie McGrath, 34, of 14511 Saginaw av., Burnham, the victim, was in critical condition in South Chicago Community hospital.

Police said most of her clothing was torn off her in the attack. Lt. James D. Riordan of the East Side police district said it appeared that the woman had been raped.

Found in Washroom

Mrs. McGrath was employed by the construction company as a secretary and was believed to have been in the offices alone shortly before the attack.

She was found in a washroom by Mrs. Barbara Moll, who had gone to the office with her husband, Walter. Police said the attack might have occurred shortly before Mrs. McGrath was to have gone to lunch at noon.

A phone answering service which Mrs. McGrath usually employed apparently was working about 1 p. m., which indicated she might have turned it on with a switch in the room just before leaving, police said.

Put Up Strong Fight

"She apparently put up a strong fight," a policeman said. "Her clothes were torn from her body and her shoes were lying in another part of the room."

A deep laceration above Mrs. McGrath's left eye apparently had been inflicted by a heavy instrument. Both eyes were blackened and she suffered a fracture at the base of her skull.

Homicide and crime laboratory investigators were sent to the scene.

Neighbors of Mrs. McGrath in Burnham said she and her husband, Raymond, who works in Chicago, and their son, Raymond Jr., 14, who attends Mount Carmel High school on the south side, usually drive to and from Chicago together.

Husbands beaten— Negroes rape two in Chicago park

The Burnham News
Burnham, Ill.
Wed 7-27-60

CHICAGO, July 27—(AP)—A gang of Negro youths assaulted two white men with baseball bats, raped their pregnant wives and knifed another youth last night in Lincoln Park.

Police felled one gang member with a bullet in his neck and seized the other four within a mile of the park, which fronts Lake Michigan on the north side.

THE FIVE YOUTHS—one 18 years old, three 16 and one 15—admitted taking part in the assaults, police said. The five victims required hospital treatment.

Police said the gang first assaulted and robbed Roy Helmut, 18, as he walked alone in the park about 10 last night. Helmut was stabbed twice in the back.

Next, police said, the youths surrounded a couple who were walking their two children and beat the husband to the ground with a bat. The 27-year-old mother was raped three times.

The youths also waylaid a 23-year-old woman and her husband, again beating the husband with a bat. The woman was raped twice.

Both couples were hospitalized.

POLICE SAID all five Negroes in custody have police records and that when they were seized some of them were carrying articles taken from the victims.

Swift Action Follows Negro Gang Rape Of White Women

The Montgomery Advertiser
Montgomery, Ala.

CHICAGO (AP)—Officials took swift action Wednesday within hours after a gang of hoodlums pounced out of the darkness of Lincoln Park, beat down two young husbands with baseball bats and repeatedly raped their pregnant wives.

Chicago 7-28-60

A grand jury was reported Wednesday to have voted true bills accusing five Negro youths of rape, robbery and assault. The victims are white.

The gang violence occurred Tuesday night as two couples—and one couple's two children—walked together through the park from a lakefront picnic on the North Side.

Police said five youths leaped on the two families, clubbed the men into unconsciousness with bats and fists, slashed the clothes from the women, aged 27 and 23, and raped them repeatedly, despite their pleas that they were pregnant.

One woman was choked to keep her from screaming. The other was raped while a knife was held at her throat. One woman told police the gang threatened to kill her two children—aged 1½ and 3—if she resisted.

The gang fled as someone approached the scene. Police, in pursuit, brought down Cleveland Dorsey Jr. with a bullet in the neck. They arrested the others after Dorsey revealed their hiding places.

Police said the group was led by James (Wolf Man) Hines, 16. Dorsey, Hines, Louis McCranie, 16, James Barr, 15, and Roscie Clark, 18, were reported named in true bills.

Gunman Seized at Rape Scene, Confesses Killing

(Story in adjoining column)

[TRIBUNE Photo]

Waldo Granberry (center) being questioned in detective bureau by Frank McMahon (left) of homicide and Joseph Carroll of sex bureau. Granberry, 17, was seized at the scene of a rape and then confessed killing fruit peddler in robbery on Feb. 20.

GUNMAN TELLS MURDER AFTER RAPE ARREST

A 17 year old gunman seized at the scene of a south side rape confessed Saturday that he shot and killed a fruit peddler in a robbery Feb. 20.

The gunman, Waldo Granberry, 1114 S. Central Park av., signed a statement in which he told of shooting Rocco Marzano, 58, four times in an alley at the rear of 6637 Greenwood av., police said.

Identified in 2 Rapes

Police said Granberry also identified in two rapes and a tavern shooting in the last two weeks on the south side. Granberry appeared in a showup held at the detective bureau for victims of other violent crimes.

Ballistic tests showed that a 9 millimeter pistol Granberry carried was used in the killing of Marzano of 851 S. Racine av., and in the robbery and wounding of Robert McPeace, 32, in his tavern at 611 W. 59th st. on Feb. 16.

Granberry was seized as he tried to walk out of a building in the 6500 block of Harvard avenue, where he is accused of holding a woman captive four hours and raping her twice.

Victim's Friend a Cop

A policeman friend of the rape victim called while Granberry held her at gunpoint in her flat and she was able to let him know she was being held captive. Police surrounded the building. Granberry hid in another flat, and during a two hour search by police calmly attempted to walk out the front door of the building.

Investigators said Granberry on Feb. 21, invaded a south side home tied up a husband at gunpoint. raped his wife, and fired a shot into the floor as a warning. A shell casing found there matched others fired in ballistics tests from Granberry's gun, police said.

Woman Is Attacked In Chicago Park

CHICAGO (AP) — A schoolteacher visiting from London, England, was pulled from a bench and savagely beaten shortly before noon Tuesday near Buckingham Fountain in heavily frequented Grant Park on the lakefront.

The woman, Joy Grant, 30, a blonde, told police her attacker, a Negro, seized her by the throat from behind, slammed her against a tree and dragged her into the bushes.

She told police she had noted the man following her and, fearing an attack, sat on a bench occupied by an old man. The elderly man ran for police when the woman was seized.

The teacher, most of her clothing torn from her body, was found in bushes 30 feet from the bench.

After giving police a brief description of the attack, the woman lapsed into a coma. Late Tuesday night she regained consciousness and hospital officials said she was in good condition.

Negro Held For Assault On Teacher

CHICAGO, Aug. 29 (UPI)—An accused teen-age Negro rapist today was charged with robbery and assault in the daylight attack on a British schoolteacher in Chicago's lakefront Grant Park.

The youth, Jasper Mines, 16, was positively identified by the London teacher as her assailant, Police Sgt. John Haberkorn said.

Mines, police said, admitted three assaults but not the attack on the teacher. At a police lineup, two women beside the teacher identified Mines as their assailant.

In addition to the teacher's charges, Mines was charged with assault to commit robbery against another woman and with robbery and assault against a third. But a fourth woman refused to sign a complaint against him.

After identifying Mines from her hospital bed at Henrotin Hospital, the teacher underwent surgery on her jaw, which was fractured last Tuesday when she was dragged into bushes, beaten and robbed shortly before midday within a few blocks of Chicago's downtown Loop.

Mines was picked up yesterday while dragging a young woman into an alley on Chicago's South Side, police said. He was released into the custody of his parents by the youth bureau, but police rearrested him upon learning he owned a red bicycle similar to those seen at earlier attacks.

Attack Victim Names Negro

CHICAGO (AP)—A 30-year-old British school teacher studied a 16-year-old youth from her hospital bed Monday, then said, "that's the man."

Miss Joy Grant of London, England, thus identified Jasper Mines, a Chicago high school freshmen, as the Negro attacker who pounced upon her in downtown Grant Park beside busy Lake Shore Drive last Tuesday.

In the assault, the vacationing woman's jaw was broken, she suffered a brain concussion, and her clothes were partly torn off. Her purse, containing nearly $1,000 worth of English pound notes, was discarded with the British currency intact after $20 in U.S. bills were stolen from it.

Mines, one of nine children of a city sanitation employe, denied that he had assaulted Miss Grant.

Mines was taken to Henrotin Hospital for the dramatic bedside confrontation after two other women identified him as having attacked them. Police said Mines admitted having raped a 43-year-old woman Aug. 20 and having attempted to rape a 23-year-old waitress in a parking lot last Saturday.

British Woman Attacked At Midday in Chicago

CHICAGO (UPI)—A vacationing school teacher from London was dragged into some bushes and beaten unconscious in broad daylight Tuesday near one of Chicago's most famous tourist attractions.

Miss Joy Grant, 30, said she was trailed through Grant Park, known as "The Front Lawn" of Chicago's Loop, and attacked as she sat on a bench next to Buckingham Fountain.

Miss Grant was found unconscious in bushes 30 yards from the fountain. Her skull had been fractured, her jaw was broken and there was evidence of a sexual attack.

The assailant had taken $30 from her purse but left 350 British pounds. The purse's contents were scattered about the grass.

Miss Grant was taken to Henrotin Hospital, where she revived and was able to give a hazy account of the attack.

9637

Negro Tells Of Assault By Three

KANSAS CITY, Kan. (UPI) — 22-year-old Negro has signed a confession admitting he participated in the Sept. 10 kidnaping and beating of an 18-year-old white girl who was raped by a group of Negroes.

Eugene Artry told Wyandotte County Prosecutor Robert Foster yesterday that he was drunk and had been smoking marijuana and was "hazy" on details of the crime. He admitted hitting her "once," but said he did not rape her.

A second man, Earl Wilson Jr., signed a confession Nov. 13 in which he implicated Artry and David McCleveland Jr., 26. Wilson also denied raping the girl.

McCleveland's body was found in the Missouri River. Investigation showed he had suffered no apparent violence but it was known he could not swim.

Foster said the case will probably come to trial in the district court within two weeks after completion of the county grand jury now in session. He said he will ask the death penalty for Artry and Wilson.

Jury Urges Noose For Negro Rapist

KANSAS CITY, Kan. (UPI) — An all-male white jury Monday found 21-year-old Earl Wilson, a Negro, guilty of kidnaping raping and assaulting a white teenager.

The panel recommended that Wilson be sentenced to hang.

The case involved an 18-year old girl who told police she was raped in turn last Sept. 10 by four Negroes who forced her into their car as she was returning home from a dancing lesson.

A second defendant in the case, Eugue Artry, 22, will be tried later. The body of a third Negro described by police as the prime suspect was found floating in the Missouri River nine days after the attack. The fourth suspect has not been arrested or identified.

The girl's parent, sitting in the packed Wyandotte County courtroom today when the verdict was read, said they believed the panel reached a just decision.

Under Kansas law, kidnaping with bodily harm carries a possible death sentence if so recommended by the jury.

The jury received the case Friday and resumed its deliberations Monday after a Sunday recess.

NEGRO GUILTY OF RAPE

Jury Recommends Hanging in Kansas Attack Case

KANSAS CITY, Kan., March 14 (UPI)—An all-male white jury today found Earl Wilson, a 21-year-old Negro, guilty of kidnapping, raping and assaulting a white teenager. The panel recommended that he be sentenced to hang.

The case involved an 18-year-old girl who told police she was raped last Sept. 10 by four Negroes who forced her into their car as she was returning home from a dancing lesson.

A second defendant, Eugene Artry, 22, will be tried later. The body of a third Negro described by the police as the leading suspect was found floating in the Missouri River nine days after the attack. The fourth suspect has not been arrested or identified.

Under Kansas law, kidnaping with bodily harm carries a possible death sentence if recommended by the jury.

9638

SUSPECT IS HELD IN ATTACK CASE

Ex-Convict Is Identified by Victim

LAKE CHARLES, La. (AP)—A 36-year-old white woman Texas City, Tex., white woman was kidnapped on the highway raped and critically beaten early Friday.

An hour after she reported it, Woodman C. Collins, 30-year-old Negro ex-convict was arrested.

Calcasieu parish Sheriff Henry A. Reid said the woman, in a Lake hCarles hospital, identified Collins as the man who abducted, raped and beat her; and, Reid added, Collins admitted the offenses.

ARRESTED AT HOME

Reid said Collins, a slender, tan-colored man with a common-law wife and a one-year-old child, has served time in both Louisiana and Texas prisons on conviction for rape.

He was an employe of the Lake Charles city sanitation department.

Collins was arrested at his home in Iowa, La., about 15 miles east of here after the woman described her abductor's car.

The Texas woman, driving alone en route to New Orleans where her husband's ship was due to dock Friday, told officers that a Negro in a car overtook her car, fell back, several times, and finally forced her car off U. S. Hwy. 165 between Iowa and Woodlawn at about 12:30 a. m. He shattered her window glass with his fist.

The woman told Reid that Collins forced her into his car, drove to a side road, took her out to a field and raped her under threat of death. He dragged her by the hair of her head.

STRUCK ON HEAD

There was about 10 inches of water in a nearby ditch. She was forced into the ditch and struck on the head several times by what she told officers probably was an auto lug wrench.

She feigned unconsciousness and dropped into the water. She said the Negro then drove off.

27h(1) 1960

LOUISIANA

9639

MAN, 32, FACING DEATH FOR RAPE

New Orleans

A 12-man all-white criminal district court jury deliberated approximately 2½ hours Thursday before finding a 32-year-old Negro guilty as charged of aggravated rape.

The verdict means that Wilbert Augustine, 1806 Benton, faces a mandatory death sentence for the Aug. 14 attack on a 31-year-old Negro woman.

Court attaches said it Augustine is electrocuted, it would probably be the first time a Negroin Louisiana was ever electrocuted for raping a Negro woman.

Judge Thomas M. Brahney deferred sentencing.

During the two-day trial, 17 state witnesses testified. The defense called four witnesses.

Augustine previously pleaded not guilty and not guilty by reason of insanity.

State witnesses testified he entered a beauty shop at 4519 N. Galvez and attacked the Negro waman in the presence of four other women customers. He struck her with a pistol, raped her, and forced her to commit an unnatural act, the witnesses testified.

Augustine was shot in the right leg by Thomas Brown, Negro, 34, 1928 Charbonnet, who went to the aid of the women when one of them sought assistance.

Augustine had been subject to "fits" ond was a depressed, introverted type of person.

Attorney J. David McNeill and assistant district attorney Walter E. Doane represented the state.

RAPE CHARGED IN INDICTMENT

The Times-Picayune

Jury Returns True Bill in Attack Case

New Orleans

The Orleans parish grand jury returned a true bill against Thomas Singleton, Negro, 51, address unknown, Tuesday afternoon, charging him with attempted aggravated rape.

Singleton is charged with the attempted attack on a nine-year-old Negro girl Dec. 25 in Algiers. A $10,000 bond was set by criminal district court Judge William J. O'Hara.

The jury returned no true bills in the following cases:

Nathaniel Dixon, Negro, 20, 2415 Feliciana, charged with aggravated rape on a 17-year-old Negro girl Dec. 25.

Emmett Hardy Jr., Negro, 22, 2011 Magnolia, charged with manslaughter in the death of Sylvester Rodgers, Negro, 25, 1272 S. Rocheblave.

Alice Cayton, Negro, 40,2016 Toledano, charged with the murder of A. C. Blackman, Negro, 40, 2018 Harmony, Dec. 24.

The jury postponed a decision in the case of Earl Martin, Negro, 30, 2015 N. Roman, charged with the murder of Edward Williams, Negro, 25, 1703 Allen, on Dec. 15.

Assistant district attorney Richard S. McBride presented the cases to the jury.

Police Query Rape Suspect In Pensacola

Montgomery Adv.

Montgomery Advertiser

Sat. 9-3-60

PENSACOLA (AP) — Detectives from Baton Rouge, La., questioned a Florida prisoner Friday about a rape and a supermarket robbery in the Louisiana capital.

Chief Deputy W. E. Ambrose said Marc C. Garvin, 23, had made a statement to the Baton Rouge officers, but he declined to give details until their investigation is completed.

However, Baton Rouge Police Chief Shirley Arrighi said there that Pensacola officers reported Garvin had admitted the crimes. The 18-year-old rape victim had identified Garvin from a picture as the man who attacked her Aug. 13, Arrighi said. He also said that witnesses of the supermarket robbery had tentatively identified Garvin as the man who used a faulty revolver in the holdup. It occurred the same night as the rape.

Tape Recording Played In Medic's Rape Trial

Jackson Daily News

Jackson, Miss.

Sat. 9-3-60

BATON ROUGE (AP)—A rape charge against Dr. Cleveland B. Smith is expected to reach the jury Monday night.

Testimony in the trial will resume Monday.

Smith is accused of giving a 25-year-old housewife nembutol and raping her after the drug took effect.

The incident occurred Dec. 3 when the 33-year-old Baker physician made a house call to treat the woman for migraine headache, officers said.

A tape recording made by officers who questioned Dr. Smith was admitted as evidence Friday. "I don't know what possessed me to do it," said a recorded voice identified as Smith's.

Defense attorneys objected to the playing of the recording. They claimed the tape could have been altered.

In the recording, Smith admitted giving the woman shots and getting into bed with her. Smith said also in the recording he was not enticed in any way.

"If you tell my wife," he said, "it would be the end of me. You might as well electrocute me."

Dist. Atty. J. St. Clair Favrot, who questioned Smith in the recording, told Smith he would be charged with rape.

Lt. Leslie Font said the physician admitted raping the woman. Font said he questioned Smith after the woman reported the alleged attack.

Font said Smith told him, "I guess I raped her."

9640

Negro Ex-Con Rapes, Beats White Woman

LAKE CHARLES, La. (AP)—A 36-year-old Texas City, Tex., white woman was kidnaped on the highway, raped and critically beaten early Friday.

An hour after she reported it, Woodman C. Collis, 30-year-old Negro ex-convict, was arrested.

Calcasieu Parish Sheriff Henry A. Reid said the woman, in a Lake Charles hospital, identified Collins as the man who abducted, raped and beat her, and, Reid added, Collins admitted the offenses.

Reid said Collins, a slender, tan-colored man with a common law wife and a 1-year-old child, has served time in both Louisiana and Texas prisons on conviction for rape.

DESCRIBED CRAR

He was an employe of the Lake Charles city sanitation department.

Collins was arrested at his home in Iowa, La., about 15 miles east of here, after the woman had described her abductor's car.

The Texas woman, driving alone enroute to New Orleans where her husband's ship was due to dock Friday, told officers that a Negro in a car overtook her car, and fell back, several times, and finally forced her car off U.S. Highway 165 between Iowa and Woodlawn about 12:30 a.m. He shattered her window glass with his fist.

The woman told Reid that Collins forced her into his car, drove to a side road, took her out to a field and raped her under threat of death. He dragged her by the hair of her head.

STRUCK ON HEAD

There was about 10 inches of while she was in the ditch she man forced her to wash there and while she was in the dith she was struck on the head several times by what she told officers probably was an auto lug wrench.

She feigned unconsciousness and dropped into the water. She said the Negro then drove off.

THREE CHARGES FACE ATTACKER

Ex-Convict Is Held for Assault

LAKE CHARLES, La. (AP)—Negro exconvict Woodman C. Collins, 30, will be charged with aggravated rape, aggravated kidnap and attempted murder in the midnight attack on a 36-year-old Texas white woman.

Jefferson Davis parish officials said Saturday they will file such charges Monday.

Collins was arrested by Calcasieu parish deputies after the woman told them her attacker forced her car off a lonely highway shortly after midnight Friday.

She said Collins smashed the glass window with his fists, pulled her to a field and beat her with his fists and a tire lug wrench.

Collins was also identified by a Houston, Tex., woman as the man who raped her in November. She was brought here for the identification.

Collins served a prison term in Texas and Louisiana for attempted rape.

Police said he admitted the latest offense. Investigators found the lug wrench at the rear of Collins' house.

The Texas City woman suffered deep scalp wounds, a possible skull fracture and body bruises.

Woman Is Raped In Louisiana

KENNER, La., (AP)—A Negro raped a white woman Friday night with her five terrified daughters in the room, police said Saturday.

Several hundred men with bloodhounds went after the attacker but lost his trail at the Mississippi River levee.

Police said the man's description fitted that of the assailant who raped two other Kenner women in July.

The attacks have thrown a blanket of fear over this suburban New Orleans community.

Regular night patrols march in the streets. Doors are locked at sundown. Few venture out at night.

Police Chief Fred Roth said a second attack was thwarted Friday night only a few blocks from the rape scene. Roth said someone broke into a home but the husband was awakened, fired a shot, and the intruder fled.

The Friday victim, who is 33, told police the man had entered her house while her husband was away at work. She said he was six feet tall and talked constantly.

Roth said the Negro was standing over the woman's bed when she awakened. The intruder warned the victim to hush her screaming daughters.

The oldest of the five girls is 11.

NEGRO RAPIST STILL HUNTED

Co-operation Requested by Kenner Mayor

Kenner, Jefferson parish and state police continued their search Thursday for a Negro rapist who has attacked two women.

Mayor Joseph Maggiore of Kenner again asked unauthorized citizens and teen-agers to remain in their homes and not interfere with police plans.

The mayor said no attacks have been reported since a 50-year-old Kenner woman was assaulted last Thursday and a 17-year-old girl was attacked the next day. Both victims are white.

Mayor Maggiore said:

"The East Bank area is still being well patrolled by Jefferson, Kenner and state police. A continuous watch will prevail until the suspect or suspects are caught.

"We ask for all teen-agers and unauthorized citizens to stay inside and not interfere with the supervised plans of operation set out by police authorities.

"In the event of a prowler in a neighborhood, call Kenner City Hall, TI-3461, or the parish police, FO 6-1616.

"Also I want to say that there has been no curfew placed on Negroes or anyone in the Kenner area. Just as a precautionary measure, we are asking everyone to stay in."

He said that a number of suspects has been questioned.

lost his trail at the Mississippi River levee.

Police said the man's description fitted that of the assailant who raped two other Kenner women in July.

The attacks have thrown a blanket of fear over this suburban New Orleans community.

Regular night patrols march in the streets. Doors are locked at sundown. Few venture out at night.

Police Chief Fred Roth said a second attack was thwarted Friday night only a few blocks from the rape scene. Roth said someone broke into a home but the husband was awakened, fired a shot, and the intruder fled.

Louisiana Negro Intruder Rapes Woman In Lo

KENNER, La., (AP)—Negro blanket of fear over this suburbar told police the m her house while H raped a white woman Friday night with her five terrified daughters in the room, police said Saturday.

Several hundred men with blood- hounds went after the attacker but lost his trail at the Mississipi River levee.

Police said the man's descrip- tion fitted that of the assailant who raped two other Kenner women in July.

The attacks have thrown a blanket of fear over this suburban New Orleans community.

Regular night patrols march in the streets. Doors are locked at sundown. Few venture out at night.

Police Chief Fred Roth said a second attack was thwarted Friday night only a few blocks from the rape scene. Roth said someone broke into a home but the husband was awakened, fired a shot, and the intruder fled.

The attacks have thrown a The Friday victim, who is 33, told police the man had entered her house while her husband was away at work. She said he was six feet tall and talked constantly.

Roth said the Negro was standing over the woman's bed when she awakened. The intruder warned the victim to hush her screaming daughters.

The oldest of the five girls is 11.

Negro Ex-Con Rapes, Beats White Woman

LAKE CHARLES, La. (AP)—A 36-year-old Texas City, Tex., white woman was kidnaped on the highway, raped and critically beaten early Friday.

An hour after she reported it, Woodman C. Collis, 30-year-old Negro ex-convict, was arrested.

Calcasieu Parish Sheriff Henry A. Reid said the woman, in a Lake Charles hospital, identified Collins as the man who abducted, raped and beat her, and, Reid added, Collins admitted the offenses.

Reid said Collins, a slender, tan-colored man with a common law wife and a 1-year-old child, has served time in both Louisiana and Texas prisons on conviction for rape.

DESCRIBED CRAR

He was an employe of the Lake Charles city sanitation department.

Collins was arrested at his home in Iowa, La., about 15 miles east of here, after the woman had described her abductor's car.

The Texas woman, driving alone enroute to New Orleans where her husband's ship was due to dock Friday, told officers that a Negro in a car overtook her car, and fell back, several times, and finally forced her car off U.S. Highway 165 between Iowa and Woodlawn about 12:30 a.m. He shattered her window glass with his fist.

The woman told Reid that Collins forced her into his car, drove to a side road, took her out to a field and raped her under threat of death. He dragged her by the hair of her head.

STRUCK ON HEAD

There was about 10 inches of while she was in the ditch she man forced her to wash there and while she was in the dith she was struck on the head several times by what she told officers probably was an auto lug wrench.

She feigned unconsciousness and dropped into the water. She said the Negro then drove off.

Curfew For Negroes Ordered After 2 White Women Raped

NEW ORLEANS, La. (AP) — Police issued an order Wednesday directing Negro residents of suburban Kenner to stay off the streets after dark while officers continue a search for an unidentified man who reportedly raped two white women.

State and Jefferson Parish police issued the curfew order for Kenner, city of 16,000 and site of Moisant International Airport.

Kenner Police Chief Fred Roth said tense conditions necessitated the order.

The manhunt started last Thursday after a 50-year-old white woman reported she was raped in her home. Less than 30 hours later, a teen-age white girl was raped in the same neighborhood.

Roth described Kenner as an "armed camp" and said many men, armed with shotguns or rifles, were staying at home to guard their families.

Negro Attacks Mother Of 5; Eludes Posse

KENNER, La., (AP)—A Negro raped a white woman Friday night with her five terified daughters in the room, police said Saturday.

Several hundred men with bloodhounds went after the attacker but

Negro Intruder Rapes Woman In Louisiana

KENNER, La., (AP)—A Negro raped a white woman Friday night with her five terrified daughters in the room, police said Saturday.

Several hundred men with bloodhounds went after the attacker but lost his trail at the Mississippi River levee.

Police said the man's description fitted that of the assilant who raped two other Kenner women in July.

The attacks have thrown a blanket of fear over this suburban New Orleans community.

Regular night patrols march in the streets. Doors are locked at sundown. Few venture out at night.

Police Chief Fred Roth said a second attack was thwarted Friday night only a few blocks from the rape scene. Roth said someone broke into a home but the husand was awakened, fired a shot, and the intruder fled.

The Friday victim, who is 33, told police the man had entered her house while her husband was away at work. She said he was six feet tall and talked constantly.

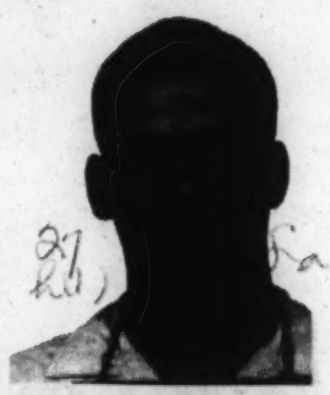
Roth said the Negro was standing over the woman's bed when she awakened. The intruder warned the victim to hush her screaming daughters.

The oldest of the five girls is 11.

Ex-Con Nabbed As 'Attack' Suspect

An alleged ex-convict, said to have been released just three months ago, was charged with the rape of one woman, the attempted rape of another and simple robbery shortly before 4 a.m. Friday of last week. Police also investigated him as the rapist-maniac hunted for the alleged attacks on white women in the vicinity of Kenner, La., during the past few week.

Friday's arrest was made by private Acme Patrol Officers, Leo Coleman and Eugene Gordon as they drove along in the 2800 block of Willow Street and saw a man running.



EDWARD DARBY

"MY WIFE'S PURSE"

The officers also observed that 22-year-old Edward Darby was dangling a woman's purse and questioned him about it. He told the officers the purse belonged to his wife whom he had just caught necking with another man and became enraged.

A search of the purse's belongings; however, revealed an envelope bearing the name of another woman and a local address. Darby had told the officers that he lived at 152 Pollack St., in Kenner, the hot spot.

Darby was taken to the Sixth District Police Station and was being booked on the simple robbery charge when a chain of events developed:

RECOGNIZE RAPIST

At that moment two young women and a man entered the station to complain that one of the women, Miss Marie Mabrey, 23, had just had her purse snatched by a 6-foot tall man. Her sister, Mrs. Kim Gonzales, 25, said the same man had chased her into a house in the Magnolia Housing Project, caught her, hurled her on the floor and was tearing her clothes off when a tenant heard the scuffle and chased Darby away. The man who accompanied the women was James Houston, an entertainer who told of the robbery. The three ran in various directions and Darby selected Miss Mabrey as his intended victim. The trio recognized Darby as their assailant. The snatched purse contained $2.30.

To add to this another woman entered the station to report that she had been raped in the yard of the Thomy Lafon School a while earlier and when she saw Darby exclaimed: "Why that's him there."

He had attaked her in the school yard and jumped the fence and went to Magnolia Street where he encountered the trio.

The Acme officers said Darby weighs over 200 pounds and has a lengthy police record.

The Weekly checked on Darby's whereabouts Tuesday of this week but found no trace of him, through the authorities.

At Parish Prison where he was confined last week, a reporter was told that he was no longer there. Jefferson Parish authorities at two jails said he was not being held in either the West Bank jail or the jail in Gretna. An officer at the East Bank jail said that one Negro man named "Stiles" was the only one being held for investigation of the reported rapes in Jefferson Parish.

9641

27h(1)
Md.

The Afro-American
Baltimore, Md.

RELIGIOUS FERVOR marked the rape and robbery trials in Hustings Court Thursday of John Henry Penn, 35, who was declared not guilty in both cases after his fiancee and sister testified that he had spent the evening of Sept. 2 with them. In addition to a pistol-point attack on a 58-year-old church woman, and the attempted robbery of a man who wrestled the gun away, Penn had also been accused of molesting three other women the same night. He had denied all of the charges.

9642

9-Year-Old Deaf Mute Is Raped

DETROT (AP) — Grabbed as she passed an alley en route home from a neighborhood store, a 9-year-old Detroit deaf-mute was raped Friday night.

The girl is white. She described her assailant as a Negro.

The child was treated for shock and bruises at a hospital and released.

She had gone to the store, four blocks from home to purchase bobby pins.

She told police that as she passed an alley, a man grabbed her and dragged her to the rear of a home and raped her.

Woman, 77, says Negro raped her

DETROIT, April 6 — (AP) — A 77-year-old white woman told police she was raped yesterday by a Negro who forced his way into her home.

The woman, a widow who lives alone in a mixed neighborhood, said the man was about 60 years old and that she had seen him in the neighborhood.

She said the man rang her doorbell and when she opened the door he forced her into a bedroom. She was given first aid at receiving hospital and released.

9643

White Woman Raped By Cons

The Jackson Daily News, Jacks Mississippi, Tues. 6/7/60 p.1

Parchman Escapees Caught, Face Death

27h(1)

BATESVILLE, Miss. (Special) — Two Negro escaped convicts raped a young white mother while her three children watched near here yesterday shortly before their capture.

Officers charged Howard Cook, 31, and Ellic Lee, 26, with attacking the woman in her home eight miles west of here.

A third escapee, Willie Foreman, 24, Negro, did not participate in the attack on the woman.

The three were captured on the farm of Panola County Sheriff Ross Darby east of here yesterday afternoon after they wrecked the car they took from the white woman.

Cook and Lee, both of Madison county, were whisked to the state penitentiary's maximum security building. A Panola county grand jury will hear charges of rape against them in October.

The attack on the woman occurred while 100 armed officers and prison trusties hunted the fugitives.

Officers said Cook and Lee bound the woman after the attack and locked her three small children in a closet.

They took her automobile and sped through Batesville, sideswiping a car occupied by two Memphis women. The automobile was damaged in the collision, officers said, and abandoned near Darby's farm east of Batesville.

They slipped into a Negro tenant house on the farm where the posse cornered them. A white trusty from Parchman flushed them from the house. Foreman was nabbed in a nearby barn. Lee was snatched from a ditch nearby and Cook was pulled from beneath the cabin.

CROWD GATHERS

The convicts were first lodged in the Panola county jail here but were moved to Parchman, 40 miles away, after a crowd gathered at reports of the attack on the woman.

A physician confirmed the white woman had been attacked. She was confined to a Batesville hospital today for treatment for shock. Officers said both Negroes admitted the attack.

The trio escaped from the 19,000-acre Delta prison farm Sunday morning during a baseball game between inmates of two camps.

Cook, a trusty, with privileges of leaving the farm on work details, slipped past guards by pretending to be taking the other two out for work.

They kidnaped a white man near Parchman, stole his truck, stole clothing at a Negro's home and left the white man there.

Sunday night they abandoned the truck near Lambert and tried to slip away from bloodhounds on foot.

The attack occurred about 3 p. m. yesterday while the woman's husband was working at a Batesville service station.

Lee was sentenced to eight years for grand larceny, burglary and larceny in Hinds county in 1956. Cook went to prison in 1956 for four years for grand larceny in Madison county and Foreman was sentenced in 1952 in Hinds county for assault and battery with intent to rape.

This was the first major break at the lenceless prison since Fred Jones became superintendent six weeks ago.

Convicts Face Capital Charge

The Commercial Appeal

Two Parchman Escapees Accused Of Assault Of Young Mother

Memphis Tenn. 6-8-60 p.17

By JAMES McBROOM
Special to The Commercial Appeal

BATESVILLE, Miss., June 7. —Three Negro convicts who were captured near here Monday afternoon following a two-day manhunt face charges which carry the death penalty in Mississippi.

Panola County Sheriff Ross E. Darby said that Howard Cook and Alec Lee would be charged with the criminal assault of a young white mother of three children.

The victim remained in a local hospital late Tuesday.

Working In Garden

The third member of the trio, Willie Forman, who was already serving a term for attempted rape, can be tried on a number of charges including armed robbery, which carries a possible death penalty in Mississippi.

According to officers, Forman slipped up on the young mother Monday afternoon while she was working in garden in the rear of her home on State Highway 6. Forman reportedly told her not yell or give them any trouble and that she would not be harmed.

Forman forced the woman to go into the house where he tied her hands and after she complained that the rope was too tight the Negro loosened the knots. He fastened two of the children in a closet and at the request of the mother gave an infant in a crib nearby a bottle of milk.

Two In House

Forman then went outside to check on the car that they were planning to seal and left the other two Negroes in the house looking for food and clothes. The assault of the young woman by Lee and Cook took place while Forman was outside the house, Sheriff Darby said.

Sheriff Darby said that after conferring with District Attorney Roy E. Johnson of Senatobia that the formality of filing charges against the trio would be delayed since the convicts will be confined in maximum security at Parchman until the next grand jury meets here in October.

No decision has been reached as to what charges will be placed against Forman or where he will be tried. If he is tried for armed robbery authorities said it would probably be in Sunflower County.

RAPE CHARGED TO MISS. PAIR

The Times Picayune

Crimes Alleged Committed After Pen Break

New Orleans La

BATESVILLE, Miss. (AP) — Officers charged two Negro convicts Tuesday with raping a white housewife during their futile break for freedom. Wed. 6/8/60

Panola county authorities charged Howard Cook, 31, and Ellis Lee, 26, with attacking the woman Monday shortly before a posse captured the two and a third who escaped with them Sunday.

The third, Willie Forman, 24, did not take part in the rape, officers said. p.12

VICTIM HOSPITALIZED

A doctor confirmed the woman had been attacked, and she was hospitalized for shock.

All three prisoners were sped back to the penitentiary at Parchman after their recapture because of high feeling in the area.

The trio walked out of the prison during a baseball game. Cook, a trusty guard, marched them out with a rifle as though he was taking them on a work detail.

STOLE VEHICLES

During their 30 hours of freedom, the trio stole several vehicles. They were hemmed in after taking a car from the home of Mrs. J. Ledbetter and sideswiping a vehicle near Batesville.

The car was abandoned, and the three holed up in a Negro home, where pursuers captured two and routed another who was taken a short time later.

Cook was sentenced to four years for grand larceny in Madison county in 1959, and Lee to eight for grand larceny and other charges in Hinds county in 1956. Foreman was serving a 14-year sentence from Hinds county for assault with intent to rape in 1952.

3 Negroes Escape From Post In Mississippi

Herald

Trio Flee During Baseball Game

Mon. 6-6-60

PARCHMAN, Miss., June 5 (UPI) —Three armed Negro prisoners escaped the state penitentiary here this morning during a baseball game between two camps.

Prison Supt. Fred Jones said Willie Foreman, a 24-year-old trusty guard, stole three rifles and led the other two Negroes out of the prison. His companions were identified as Howard Cook, 31, and Alex Lee, 26.

Prison officials said Bloodhounds tracked the fugitives into the woods at the Walnut community near Lambert. Officials said the Negroes abandoned a car they had stolen and were on foot.

Jones said prison guards and the Highway Patrol set up road blocks and surrounded the area.

"We had a ball game this morning and most of the prisoners went to it," Jones said. "Since a trusty could walk out of the prison, the other guards thought the trusty was carrying the other two on assigned duties."

Jones said the three Negroes stole a pickup truck from a white man whose house adjoined the prison and held him hostage.

"They then took a car from an old Negro couple and tied them up in their house," Jones said. He said the Negroes changed into civilian clothes they stole from the Negroes. Jones said the white man, who was not identified, was tied to a bed and left with the Negro couple. Jones said the Negroes later freed themselves and notified the authorities.

"We think they have driven their car into the woods and will probably try to come out during the night," Jones said.

In Mississippi—

Birmingham Post Herald

Two Negro Escapees Are Accused Of Rape

Birmingham Age-Herald

Wed 6-8-60

BATESVILLE, Miss., June 7 (UPI)—Two Negro convicts who escaped the state prison at Parchman Sunday raped a young white mother in the presence of her three children before being captured, Sheriff Ross Darby said today.

Darby said Howard Cook, 31, and Ellic (Lover Boy) Lee, 26, were charged with attacking the woman in her home eight miles west of here yesterday a short while before they surrendered to a posse. He said a physician confirmed she was raped.

The Panola County Grand Jury will consider the charges in October. Rape is punishable by death. The two Negroes already are confined to Parchman's maximum security cellblock.

A third Negro, Willie Foreman, 24, escaped with Cook and Lee and was captured with them, but officers said he did not participate in the rape, which occurred while the woman was home with her three small children and her husband was working at a Batesville service station.

Woman Tied Up

The three tied up the woman and stole her car. After sideswiping an automobile, they pulled onto a dirt road and abandoned the vehicle three miles west of here and hiked to an old log cabin in a wooded area.

While they rested in the cabin bloodhounds were on their trail. Officers and trusties carrying rifles followed, and soon the cabin was surrounded. A trusty entered the place and flushed the three. They scattered but were captured moments later, one in a ditch, another in a barn and the third under the cabin.

Rushed to Parchman

At first they were placed in the Panola County Jail, but feelings heightened as word of the rape circulated and they were rushed to Parchman.

Cook, himself a trusty, had served a year of a four-year sentence for grand larceny in Madison County. Lee had served half of an eight-year sentence for grand larceny and burglary in Hinds County and Foreman had served eight years of a 14-year

OXYGEN GIVEN TO SUBWAY FIRE VICTIMS
Rail Flash Ignited Trash Pile In East Side Tunnel

2 Negro Escapees Charged With Raping White Woman

The Montgomery Advertiser

Montgomery, Ala.

Wed 6/8/60

BATESVILLE, Miss. (AP)—Officers charged two Negro convicts Tuesday with raping a white housewife during their futile break for freedom.

Panola County authorities charged Howard Cook, 31, and Ellis Lee, 26, with attacking the woman Monday shortly before a posse captured the two and a third who escaped with them Sunday.

P. S B

The third, Willie Foreman, 24, did not take part in the rape, officers said.

A doctor confirmed the woman had been attacked and she was hospitalized for shock.

All three prisoners were sped back to the penitentiary at Parchman after their recapture because of the high feeling in the area.

The trio walked out of the prison during a baseball game. Cook, a trusty guard, marched them out with a rifle as if he was taking them on a work detail.

During their 30 hours of freedom the trio stole several vehicles in their bid for freedom but were hemmed in after taking a car from the home of Mrs. J. Ledbetter and sideswiping a vehicle near Batesville.

The car was abandoned and the three holed up in a Negro home, where pursuers captured two and routed another who was taken a short time later.

Cook was sentenced to four years for grand larceny in Madison County in 1959 and Lee to eight for grand larceny and other cnarges in Hinds County in 1956. Foreman was serving a 14-year sentence from Hinds County for assault with intent to rape in 1952.

Negro Denied Bond In Assault Charge

The Commercial Appeal

Memphis, Tenn.

Wed 3-16-60

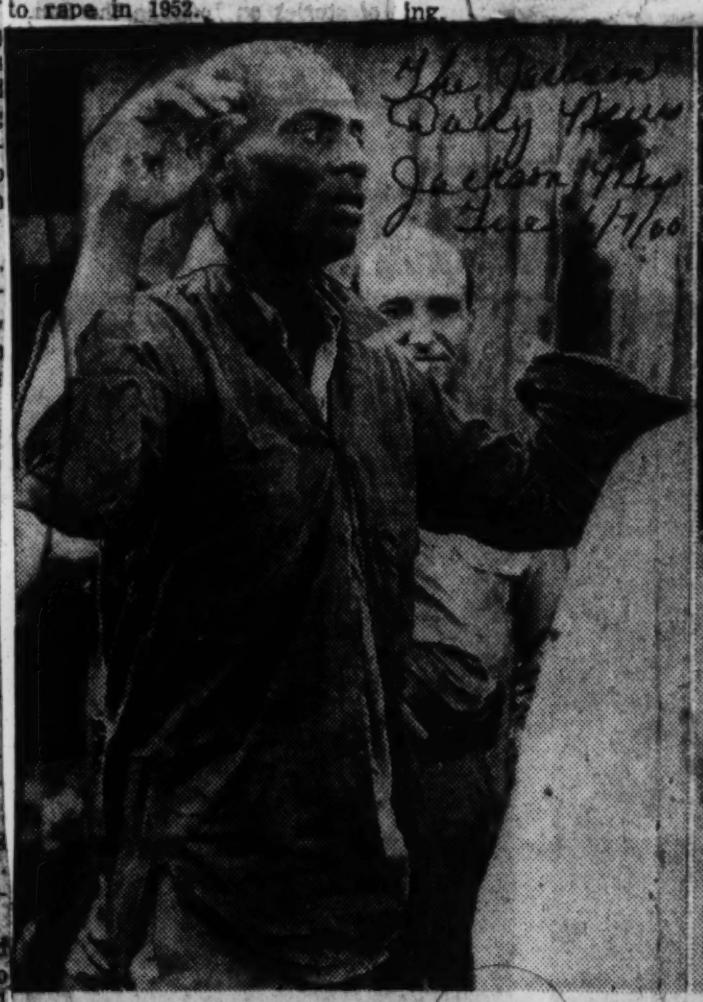
Vaughn Rushed Back To Jail After Cleveland Hearing

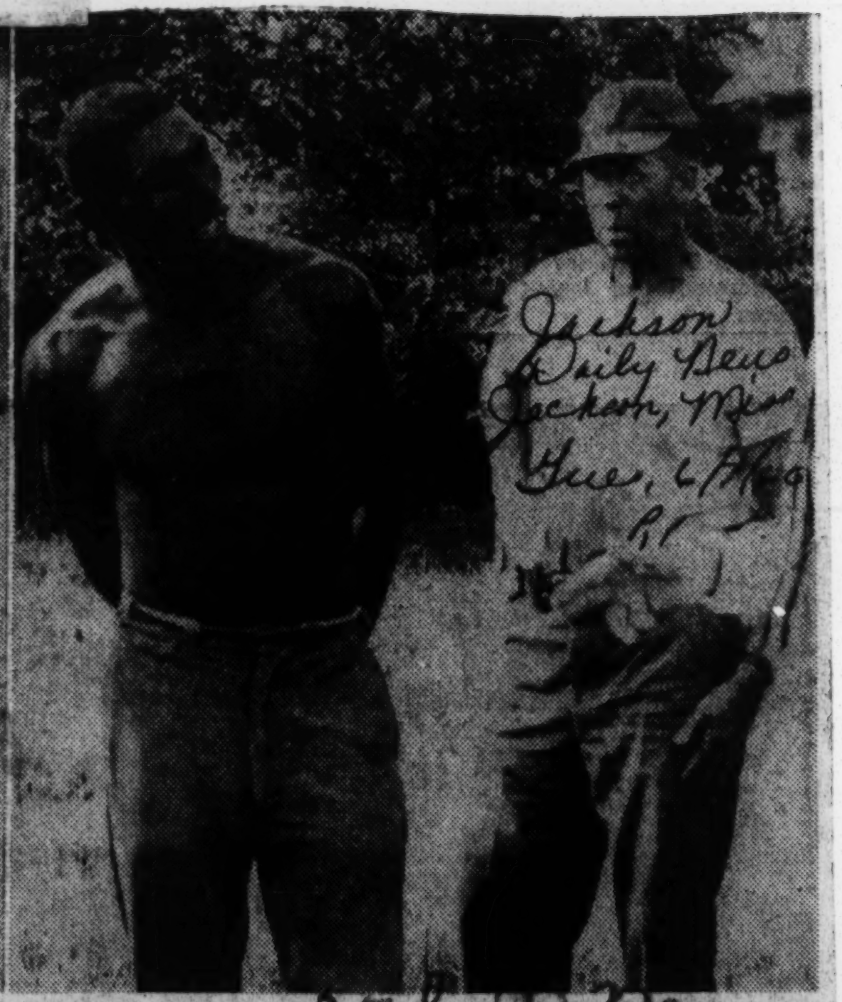
CLEVELAND, Miss. March 11.—(UPI)—Warren Vaughn, a Negro accused of criminally assaulting a white woman, was denied bond Friday in a justice of the peace hearing here.

Vaughn, 24, was bound over to the April term of the Bolivar County Grand Jury.

Immediately after the hearing, officers rushed him back to the Hinds County Jail at Jackson, where he is held for security reasons. Newsmen were not allowed to attend the hearing.

Vaughn is charged with breaking into the woman's home near here Feb. 2 and criminally attacking her. The woman and her husband attended Friday's hearing.





CHARGED WITH ATTACK ON WHITE WOMAN

The Jackson Daily News

Jackson, Miss.

Wed Mar

Escaped convicts Howard Cook (left) and Ellic Lee are shown after they were captured near Batesville yesterday. They are accused of raping a young white mother in her home during their break for freedom. Officers said a third escapee, Willie Foreman, did not participate in the assault.

Two Negroes held in rape of matron

CLEVELAND, Miss., Feb. 2 (UPI) —Police arrested two unidentified Negroes today in connection with the rape of a young white mother at her home one mile east of Cleveland.

Officers would not identify the men, who were taken to the Bolivar County jail.

The victim, in her early 20s and the mother of two small children, said the Negro broke into her home shortly after her husband left for work about 4 a. m. He tried to kick down a side door and then forced the front door open.

SHE TOLD OFFICERS before a doctor placed her under sedation that she grabbed a shotgun when she heard the man trying to break into the house. Officers said the Negro grabbed a pillow and knocked the gun from her hands. It discharged and tore a hole in the ceiling.

Sources said the woman and her attacker battled for about a half-hour before he escaped.

SEARCHING PARTIES accompanied by bloodhounds from the state prison at Parchman poked through a heavy fog looking for the attacker. Officers did not comment on where the two men were arrested.

Police said a third man was also arrested but was later released.

Authorities said they would wait for the victim to come out of sedation in hopes she could identify her attacker.

Cleveland Hunts Negro Assailant

White Housewife Ravaged After Door Broken on 11 Questioned

Special to The Commercial Appeal

CLEVELAND, Miss., Feb. 2.

At least 11 Negroes were being questioned here Tuesday night in the search for one who criminally assaulted a white housewife near here early Tuesday.

The 25-year-old victim told officers the Negro forced his way into the house by breaking the lock on the front door shortly after her husband left for work about 4 a.m.

She said he first tried to kick down a side door, and failing that, went to the front door.

Shotgun Deflected

She said she grabbed a shotgun when he forced his way through the front door, but he hit the gun with a cushion and it discharged, knocking a hole in the ceiling.

The victim said she struggled with her attacker, who had a pistol, for about half an hour before he overpowered her.

Officers said the furniture in the house was badly disarrayed.

The victim's two children were asleep in another room. She was placed under sedation by a physician after reporting the attack.

Had Mustache

Officers said she described her attacker as about 18 to 20 years old, dressed in light trousers and coat and wearing gloves. She said he had a mustache.

Some of the Negroes questioned were those who would be familiar with her husband's working habits.

A posse composed only of law enforcement officers, working with bloodhounds from the state penitentiary at Parchman, set out to search for the Negro as soon at the attack was reported. However, the bloodhounds lost the trail north of the city about 1 p.m.

Wife's Attacker Hunted By Posse

Young Mother Victim Of Negro

CLEVELAND, Miss., Feb. 2 (UPI) —A young Negro broke into the home of a young white mother before dawn today and attacked her, Sheriff Jewell Pace reported. A huge manhunt was launched.

The woman, in her early 20s, said the Negro raped her. A physician who examined her said he could not determine whether or not she was raped, but there were signs of a violent struggle in the living room of the rural home two miles east of this Delta town.

Pace said the woman's husband left home at 4:30 a.m. for work and the Negro started breaking into the house as soon as he left. First he kicked out the lower panel of the back door but was unable to get in. Then he forced his way in through the front door.

The woman grabbed a single barrel shotgun and fired at the Negro, but missed. He attacked her in the living room while her three children were in a bedroom, Pace said.

City police, sheriff's officers and Highway Patrolmen began searching an area 10 miles wide. Bloodhounds were sent from the state prison at Parchman. Only law officers were used in the posse, Pace said.

The Negro was described by the woman as being young, slight of build, very dark and having a small mustache.

The woman was hospitalized here under sedation.

She lived in a former store building which had been converted into an apartment.

Young Woman Raped; 2 Held

CLEVELAND, Miss. (UPI) — Police arrested two unidentified Negroes today in connection with the rape of a young white mother at her home one mile east of Cleveland.

Officers would not identify the men, who were taken to the Bolivar County jail.

The victim, in her early 20's and the mother of two small children, said the Negro broke into her home shortly after her husband left for work about 4 a.m. He tried to kick down a side door and then forced the front door open.

She told officers before a doctor placed her under sedation that she grabbed a shotgun when she heard the man trying to break into the house. Officers said the Negro grabbed a pillow and knocked the gun from her hands. It discharged and tore a hole in the ceiling.

Sources said the woman and her attacker battled for about a half-hour before he escaped.

Searching parties accompanied by bloodhounds from the state prison at Parchman poked through a heavy fog looking for the attacker. Officers did not comment on where the two men were arrested.

Police said a third man was also arrested but was later released.

Authorities said they would wait for the victim to come out of sedation in hopes she could identify her attacker.

Attempted Assault Leads To Arrests

2 Negroes Held At Marks —White Woman Attacked

Special to The Commercial Appeal

MARKS, Miss., May 26.—At least two Negro men were arrested as suspects Thursday after a Negro broke into the home of a white woman and attempted to assault her Wednesday night.

Sheriff W. G. Darby said the suspects had not been viewed by the woman or her teenaged daughter, who also was present when the attempted assault occurred.

Sheriff Darby refused to give any details about the arrests or about the case itself.

The woman's daughter scared the would-be assailant away.

Rapist Identified By White Victim

Authorities today grilled a 24-year-old former Cleveland dairy plant hand in the rape of a white woman at Cleveland early this month.

Warren Vaughn submitted to lie detector tests at the Highway Patrol in Jackson last night and was scheduled for more questioning today.

Bolivar county sheriff Jewell Pace said the young mother who was raped has identified Vaughn as her assailant.

He was arrested yesterday and was whisked to Jackson by Pace and Highway Patrolman Harvey Swindall after the victim confronted him.

He was held in a small cell at the highway patrol last night and was scheduled to be questioned further today.

Pace said no charges have been filed in the attack. Authorities said early examination of the test given here last night was inconclusive.

He said the young mother quickly identified Vaughn as the Negro who broke into her home minutes after her husband left for work Feb. 2. She was raped after fighting the Negro for nearly a half hour.

Vaughn was one of many Negro men whom the woman had met face-to-face daily in an attempt to identify her assailant.

Pace said Vaughn was a former employee of the milk processing plant where the husband of the victim works but is now unemployed.

He is an ex-convict, serving a term for the burglary of the bank of Pickens.

The unidentified Negro was arrested after being identified by the victim as the man who broke into her apartment and raped her before dawn Feb. 2.

It was the first known case in Mississippi of a Negro being accused of raping a white woman since Mack Charles Parker was arrested a year ago. He was later lynched.

The woman, mother of three children, said the man tore off the front door screen about 4:30 a.m. and entered her home after her husband left for work at a dairy plant.

A physician said he could not determine if she had been raped. However, the living room of her home was in shambles, indicating there had been a struggle.

The woman had looked at dozens of suspects but had been unable to make an identification until today.

Negro Held As Rapist In Mississippi

CLEVELAND, Miss., Feb. 19 (UPI)—Officers today arrested a Negro for the alleged rape of a white woman and spirited him out of this area.

Sheriff Jewel Pace was reported taking him to the Hinds County Jail in Jackson, about 150 miles south of here.

Negro Is Arrested On Assault Charge

White Woman Identifies Him As Her Assailant

Special to The Commercial Appeal

CLEVELAND, Miss., Feb. 19. —A young Negro man was arrested Friday after a white woman, who said she was criminally assaulted at her home here early Feb. 2, identified him as her attacker.

The Negro was identified as Warren Vaughn, about 20, by county officers. Vaughn reportedly worked for the same dairy that employed the woman's husband.

Bolivar County Sheriff Jewel Pace reportedly took the Negro to Hinds County jail in Jackson for safekeeping.

It was the first known case in Mississippi of a Negro being accused of assaulting a white woman since Mack Charles Parker was arrested a year ago at Poplarville. He was later dragged from the Pearl River County jail and killed.

The victim said the attack occurred before dawn after her husband left home for work. The woman said a Negro broke into the house and she tried to fight him off with a gun. She is the mother of three children.

Officers reported the victim as saying the Negro took the gun away from her in a fight that lasted half an hour. Officers said the living room was a shambles.

The arrest was made by members of the Bolivar County sheriff's office and the Mississippi Highway Patrol.

Round Up 30 In Miss. Rape Case

CLEVELAND, Miss. — (UPI) — Authorities said Monday that a young white woman has failed to identify from some 30 Negroes the man she claimed broke into her apartment and raped her.

Deputy Sheriff W. C. Norwood said police had no leads and were just rounding up Negroes who fitted the woman's description of her attacker and who might have known her husband's working habits.

He discounted the possibility the attacker might have been a transient. "I think if we're lucky enough to find him, he'll be a local person," Norwood said.

The woman said the man tore off the screen door of their apartment shortly after her husband left for work at a Cleveland dairy plant Tuesday.

She said she shot at him with a shotgun but missed, and he assaulted her in the living room. Her three children were in the bedroom.

Negro Flees Trap After 'Date' Offered

MERIDIAN, Miss. (Special) — Officers today searched for a 35-year-old Meridian Negro who police said attempted to make a date with a young white woman and then fled a trap set up by them at a rural Negro church.

Police, who withheld the man's name pending his arrest, said he is sought on a warrant charging that he used obscene language in seven telephone calls made to the woman Wednesday attempting to date her, and other calls previously this week.

Officers said that after some of the calls Wednesday the woman notified police and accepted a date with the man at the request of them.

Deputy Sheriff D. D. Wilkinson, using the woman's car, drove it to the Negro church at Van's Flat in the Long Creek community area where the man had asked the woman to meet him.

Wearing a woman's coat and scarf, Wilkinson waited in the car at the church. The Negro came out of a wooded area, calling to the deputy, whom he believed to be the woman, "to come into the woods with me."

Before the man got close enough for capture, however, he apparently became suspicious and ran back into the woods. An intensive search in the area failed to flush him, however. He was later reported seen at a beer tavern near the church but could not be located and officers also rushed to a bus station here after a report he was there.

Negro Captured In Mississippi

Admits Trying Assault Upon Mother Of Three, Other Similar Crimes

By United Press International

BRANDON, Miss., March 7. —Mississippi authorties captured a 19-year-old Negro early Sunday morning and charged him with attempted criminal assault of a 25-year-old mother of three, near here.

Rankin County Sheriff J. R. Edwards said Negro Jerry Hobson admitted breaking into the house of Mrs. Wylie Bryant about 10:30 Saturday night.

Back Door Jimmied

Edwards said Mrs. Bryant had fallen asleep on a couch while watching television. He said Hobson first tried to get into the house through a window but could not open it. Edwards said the Negro "jimmied the back door," picked up a blanket from a table and threw it over the sleeping woman.

Her screams awakened a daughter, about 5, who also began screaming. Edwards said the child's screams frightened Hobson away.

He said Hobson admitted breaking into two other houses for the same purpose last July and three years ago. He also said he had tried to enter the Bryant house on three other occasions.

Arrested At Home

Edwards said about 50 officers from Hinds and Rankin counties and the Mississippia Highway Patrol entered the manhunt. Hobson was arrested at his home about 5:30 a.m.

Mrs. Bryant's husband was working on a night shift at the Knox Glass Co. in Jackson.

Edwards said Mrs. Bryant identified Hobson in a lineup. He was also charged with burglary.

Negro Is Accused Of Molesting Girl

White Coed From Nashville Makes Charge

MERIDIAN, Miss., March 1. —(UPI)—A Negro man was arrested near here Tuesday after a white coed from Nashville accused him of molesting her on a Greyhound bus.

The girl, an 18-year-old Nashville student at George Peabody College, told the bus driver late Monday night that the Negro, H. B. Phillips, was molesting her.

Driver N. E. Byrd of New Orleans stopped at Kewanee, a town on Highway 80 near the Alabama line, and called the sheriff's office here. While he made the call, the Negro ran from the bus into a wooded area.

Deputies found him shortly after midnight. They said Phillips, about 35, kicked and fought them.

Phillips was jailed on charges of assault and battery, resisting arrest, assault on an officer and drunkenness. Deputy Alton Allen said further charges were pending.

NEGRO TELLS OF ATTEMPT TO ASSAULT

MARKS, Miss. (Special) — A 27-year - old unemployed Negro has confessed he attempted to rape a white woman here a week ago.

Sheriff Gordon Darby said Willie James Shaw confessed yesterday following a lie detector test given by Sam Ivy, chief of the highway patrol's identification bureau in Jackson.

Shaw, unemployed for six weeks, formerly worked at an oil mill here. He was one of several suspects questioned in the attack.

The Negro broke into the woman's home in Marks while she and her 18-year-old daughter were the only members fo the family home.

Both fought him off. The woman was choked and suffered bruises, Sheriff Darby said.

Negro Is Sentenced On Assault Charge

Warren Vaughn Given Life In Cleveland Court

Special to The Commercial Appeal

CLEVELAND, Miss., April 6. —A 23-year-old Negro pleaded guilty Wednesday to criminally assaulting a white woman and was sentenced to life imprisonment. He was taken to the state penitentiary at Parchman a few minutes after entering the plea.

The plea by Warren Vaughn climaxed a day of legal maneuvers in Bolivar County Circuit Court.

Vaughn's attorney, Jack Young of Jackson, Miss., had earlier asked for a change of venue and a hearing on the motion had been set for April 14. Vaughn was arraigned Wednesday morning.

The Negro had been held in the Hinds County Jail in Jackson for safekeeping since his arrest.

The assault took place at the home of the victim near here Feb. 2.

Vaughn also pleaded guilty on one of two counts of burglary with which he was charged. He was given an additional two-year sentence in the burglary case.

Negro Arrested As Suspect In Rape Attempt

DECATUR, Miss. (Special) — Officers said that a Negro man was arrested yesterday in connection with attempted rape of a white woman in Decatur at 10 p. m. Wednesday.

An alarm went to the highway patrol and all area officers Wednesday night to be on the lookout for a Negro identified by Sheriff J. F. Johnson of Newton County as Jonnie C. Billups.

Chief Deputy Austin Johnson at Decatur said that a Negro had been arrested by the sheriff and that the latter was taking him to an undisclosed jail. The deputy said he did not know if this was the same Negro for whom the sheriff had been searching, since the sheriff had not yet returned to Decatur.

Highway Patrolmen Bobby Little of the Meridian station said that today that the sheriff had ended the search and that the Negro had been apprehended.

ATTEMPTED RAPE CASE IS PROBED

TUPELO, Miss. (Special) — A pretty teen-aged Tupelo girl was "almost choked to death" by a man who allegedly attempted to rape her yesterday afternoon near Tupelo.

Lee county authorities are looking for the man who reportedly forced the girl into his car and took her to a secluded spot off Highway 78 and attacked her.

Lee County Attorney Cason Rankin of Nettleton said today the girl identified her attacker. County authorities have put out a pickup for a man, who is allegedly an Army AWOL from Fort McClellan, Ala.

Cason, said "The girl was hysterical after the man let her out of his car. Doctors put her under sedation last night and we have not had a chance to talk to her but she has obvious bruises and scratches on her throat after he twice allegedly choked her into near unconsciousness.

The girl told Cason, "He nearly choked me to death. He told me not to say anything about it for three hours, when he finally let me out of the car."

The physician who treated the girl was not available for comment.

9645

Negro Is Charged In Rape Attempt

Jackson Daily News

(Earlier Story, Page 2)

DECATUR, Miss. (Special) — Newton County Sheriff J. F. Johnson said today 19-year-old Negro Johnnie C. Billups, arrested in Decatur Thursday by night marshal Rayburn Gaines, had been charged with assault with attempt to rape a white Decatur High school girl.

Johnson said Billups admitted the attempt and gave a detailed description of the assault which occurred on a street beside the high school about 10 p.m. Wednesday as the girl, about 17, was returning home from a moving picture show.

The victim broke loose from her attacker and ran. Her screams attracted some boys who were on the front campus of East Central Junior College a half a block away. Their pursuit scared Billups away.

He was taken Thursday to an undisclosed jail by Sheriff Johnson for safe keeping.

When asked why he assaulted the girl, authorities said Billups replied: "I guess I have been watching too many television shows."

One official who asked not to be identified said Billups was sent to Oakley Training School for Negroes several years ago for breaking into a store here.

Negro Charged In Rape Try At Hattiesburg

Jackson Daily News

HATTIESBURG, Miss. (UPI)— A 25-year-old Negro, Lonnie Lee Jr., was charged with the attempted rape of a 53-year-old white woman and was in jail here today awaiting the next grand jury term.

Police said Lee threw Mrs. Sadie Stanley on the ground in her back yard Thursday and began ripping her clothes but was frightened off by a ruse when she yelled for her son to get a gun.

The Stanleys don't own a gun.

Lee was caught by some white workmen shortly after the attack. He pleaded guilty to a charge of assault with intent to rape and was held on $10,000 bond here pending grand jury action.

Mrs. Stanley said Lee approached her while she was drawing water from her back yard well and asked her for a drink. After taking a drink, he threw her on the ground and began attacking her, she said.

Her 78-year-old mother rushed from the house and began hitting the Negro with a stick, said Mrs. Stanley, but he continued the assault.

Then her 10-year-old son came out the back door and she said she yelled at him to get the gun. That's when Lee fled, Mrs. Stanley said.

Negro Is Indicted On Assault Count

The Commercial Appeal

Arraignment For Warren Vaughn Set Today

Memphis, Tenn.

CLEVELAND, Miss., April 5. — (UPI) — The Bolivar County grand jury Tuesday indicted Negro Warren Vaughn, 24, who is charged with criminally assaulting a white woman near here.

Vaughn, who is scheduled to be arraigned Wednesday, worked last October at the dairy plant where the woman's husband is employed.

The victim said she was assaulted in the living room after a half-hour struggle. She said her three children were in their bedroom.

Search Continues For Negro 'Dater'

Jackson Daily News

HOULKA, Miss. (Special) — Chickasaw county authorities are continuing their search for an unidentified Negro man who asked a "nice looking" white school teacher for a date at her home last week.

Sheriff's officers said today they have no new leads for the Negro but were continuing their serach.

A full-scale manhunt with bloodhounds and more than 20 heavily armed law enforcement officers failed to turn up any trace of the Negro Thursday night and Friday.

Negro Youth Held On Charge

The Commercial Appeal

Confessed Asking White Schoolteacher For A Date

Memphis, Tenn.

By United Press International

HOUSTON, Miss., July 14.— A young Negro has confessed asking a white Mississippi spinster schoolteacher for a "date" and suggesting a "little romance," authorities said Thursday.

The Negro, Willie Joe Atkinson, was held on a disorderly conduct charge under a broad new Mississippi segregation statute which, among other things, forbids "indecent proposals."

Sentiment Strong

Officers said Atkinson has confessed. Sheriff E. R. Griffin said the Negro teenager added that he intended to rape the woman.

Officers said sentiment against Atkinson was strong.

He was one of about 20 Negroes picked up for questioning by a posse of 20 officers and bloodhounds shortly after the incident was reported a week ago Thursday by the schoolteacher. The woman, 40 years old and unmarried, was not identified.

She reported that a young Negro approached her and asked for a "date" when she returned to her home at Houlka, Miss. She said the Negro came into the front yard of her home and that she ran into the house.

She said that he did not get closer than 40 feet to her, Griffin said.

Signed Confession

Griffin said Atkinson was arrested after intensive investigation by local and state officers and that he signed a confession stating that he suggested to the woman: "Let's you and me have a little romance."

Maximum penalty under the statute enacted by the 1960 Mississippi Legislature is four months in jail and a $200 fine.

9646

Chuck Berry Booked On Mann Act

ST LOUIS — Rock and Roll artist, Chuck Berry, home for a two-week vacation during the holidays, was booked by federal authorities early last week for alleged violation of the Mann Act which grew out of the singer's involvement with a 14-year-old Indian girl.

Booked for a session before Federal Marshall Dave Crely, Berry brought the Indian maiden from El Paso, Texas to St Louis. The Mann Act makes it unlawful to transport a female across state lines for immoral purposes.

Events leading to Berry's arrest were triggered by the girl calling Arizona's State police, local police said.

The girl, who is from Arizona reportedly became disgusted with St Louis and wanted to go back home.

Berry, and the girl were then picked up by local police and a warrant issued against Berry for violation of the federal statute.

in 1958. He denied an intent to violate the law, testifying he and the young woman were in love.

Last March Berry was sentenced to five years in prison and fined $5,000 by United States District Judge George H. Moore after he was found guilty by a jury of transporting a 14-year-old Indian girl from El Paso, Tex., to St. Louis for immoral purposes. He has filed notice of appeal of the conviction. Berry served a sentence for armed robbery in 1944.

Chuck Berry Gets 5 Years, $5000 Fine

ST. LOUIS — (UPI) — Charles E. (Chuck) Berry, rock n' roll singer, faced five years in federal prison and a $5,000 fine today for transporting a 14-year-old Indian girl from El Paso, Tex., to St. Louis for immoral purposes.

Berry was convicted last week of the charge and sentenced in U. S. district court Friday.

He still faces charges of transporting a woman across state lines for immoral purposes and transporting an automatic pistol between states.

Berry, 30, was ordered held without bond. He served a sentence at Algoa reformatory for armed robbery in 1944.

'Chuck' Berry Acquitted Of Mann Act

St. Louis—Charles E. (Chuck) Berry, rock and roll singer and former night club owner, was acquitted here last week of a charge of illegally transporting a woman across state lines for immoral purposes.

Under The Mann Act

A jury in the court of the United States Judge Randolph Weber returned the verdict after deliberating about six hours.

The indicent, in the two counts, charged that Berry transported an 18-year-old woman from St. Louis to Toledo and St. Louis to Omaha

$500 Fine In Rape Hoax

Woman Admits Falsehood

ST. LOUIS — (ANP) — A white woman, who has admitted to police here that her story of being raped by five Negroes, was a hoax was fined $500 last Friday by Police Judge Rodney Weiss after she was found guilty of making a false report to police.

Mrs. Wanda Lou Landis received the maximum penalty that could be assessed for the offense.

A state misdemeanor charge of making a false report to police is pending. Maximum penalty upon conviction is a fine of $1000 and a workhouse sentence of one year. The state charge is to be heard Nov. 17.

Detective Robert Jacobs testified that Mrs. Landis told police Sept. 18 and 20, that she had been abducted near Broadway and Lafayette avenue Sept. 17.

She claimed she was raped repeatedly by the five men who held her prisoner for more than 24 hours.

A Coast Guardsman testified he saw Mrs. Landis on the Coast Guard ship Poplar, at the foot of Iron street, at about the time the abduction reportedly took place. She was with another Coast Guardsman, the witness said.

There was no defense testimony. Mrs. Landis' attorney said the case would be appealed to the Court of Criminal Correction. Her husband, Pfc. Charles G. Landis, who was stationed in Germany at the time of the incident was with her in court.

Six days after Mrs. Landis reported the alleged rape to police, she admitted her story was a hoax.

She said she spent most of the period drinking with a Coast Guardsman. At the time she reported she had been raped she lived in the 4500 block of McPherson avenue.

Tougher laws on rape urged in St. Louis

ST LOUIS, Sept. 24 — (AP) — Circuit Atty. Thomas F. Eagleton says St. Louis is aroused by a series of recent rape cases "but you can't fight this fire with panic."

The prosecutor, speaking before the St. Louis League of Women Voters Friday, said his office had been flooded with calls during the past week.

The public is now aroused, as women fear being on the streets," Eagleton said.

A reward fund, now totaling nearly $3000, was started by The Globe-Democrat for information leading to the conviction of five youthful Negroes who abducted a young white mother of three a week ago, held her captive for 28 hours and repeatedly raped her. The woman, 19, was seized at a normally busy intersection in mid-afternoon and carried off in an old model car.

EAGLETON URGED adoption of three proposals to stiffen legislation against rapists. He recommended:

1. Elimination of Missouri's manadatory severance law which permits more than one person accused of raping a woman in a single incident to receive individual trials. This forces the victim to repeat her testimony.

2. Separate laws applying to forcible and to statutory rape and increase the minimum sentence for forcible rape from two to 10 years.

3. Permit judges in cases carrying a possible death penalty to fix the punishment, instead of leaving this to the jury.

Eagleton told the group his three proposals had been introduced during the past two legislative sessions and would again be introduced.

THE NUMBER of forcible rapes reported to St. Louis police last year reached a record high of 244 cases.

The Globe-Democrat reported:

"St. Louis' changing population (as in other large cities), which is causing sharp gains in the number of people of low moral standards, is partly responsible. But the city's attitude toward law enforcement and punishment for those found guilty of these crimes in question also plays a part . . .

"Racial problems also complicate enforcement. Negro officers have little trouble handling young Negro trouble-makers, but when white officers are forced to get tough, the cry of police brutality is raised.

As a result, police dogs are now used in breaking up disturbances and some roving groups of youths who defy police."

White Daily Asks for Stiff Punishment

Woman Lies About Rape Charge

ST. LOUIS—"This young woman should be punished to the limit for what she has done," stated a St. Louis Globe-Democrat editorial after a young married white woman admitted she lied about having been raped by five Negro men.

Asked why she had lied about being kidnaped and raped, Mrs. Wanda Landis, 20, said, "I had heard a police officer (when she was taken to City Hospital) say that I looked like I had been raped.

"I then thought of the story thinking that if I reported such an incident, my husband would be brought back home," she said.

Actually the woman, mother of two children, and whose husband is stationed in Germany, admitted she spent the Saturday night in question and Sunday with a Coast Guardsman in a vacant house after a round of drinking at taverns.

She originally claimed she was kidnapped by three Negro men and forced into an automobile at 3 P. M. She said she was raped repeatedly by these men and later by two others in a garage before being released.

More than 100 persons were questioned by police during the subsequent investigation as public resentment was running high.

She finally broke down and admitted her story was a hoax, after discrepancies were found in her story, and witnesses were located who had seen her after the time of her reported abduction.

She told of drinking in three different bars, of drinking a bottle of gin she had hidden in a garbage can behind her apartment, and of "freely consenting" to go with the Coast Guardsman to the vacant house.

The mother of a two-year-old girl and a three-month-old boy, she finally said, "I just wanted to get it out, the whole truth. I am just tired of causing people trouble."

Mrs. Landis, booked as being suspected of making a false report of law violation, was released on $500 bail. This is a minor charge subject to prosecution only in City Court.

About the light punishment, the Globe-Democrat editorial stated:

"What a petty accusation and penalty for so shameless, so evil a public deception. It was especially vicious because she charged her non-existent attackers were Negroes.

"The conduct of this young woman in her atrocious deception is all the more reprehensible because, as of course she knew, St. Louis has been scourged with a wave of brutal attacks on women—grabbed from the streets, accosted on broad daylight, forcibly violated in their own homes.

"The St. Louis metropolitan area ranks third among big cities of the nation for the incidence of forcible rape. Only in the Los Angeles and Philadelphia sectors is the crime more prevalent. During the last 10 years, this savage felony has increased here by 200 per cent.

"Police did a commendable chore in unmasking the Wanda Landis hoax, and she should be meted out maximum sentence for what she did."

110 Quizzed, Jobs Lost

White Woman Admits She Created Rape Story

ST. LOUIS, Mo. — After some 110 colored men were picked up by police and questioned, a white woman, Mrs. Wanda Landis, has admitted that she invented a story of being kidnaped and raped by five colored men.

The woman's story was given wide prominence repeatedly by the St. Louis Globe-Democrat, a daily which also carried an editorial entitled "Worse Than The Congo."

SOME OF the men who were questioned as suspects said that they lost their jobs because of tension and hysteria generated by the editorial and feature stories playing up the Landis case and that of two 16-year-old white girls who said that five colored men in an auto tried to pick them up.

Mrs. Landis gave the police a thorough description of the car in which she said she was abducted by three men. She also gave detailed descriptions of the five men by whom she said she was attacked.

THE WOMAN'S story was so thorough that police grew suspicious and continued to question her until she admitted that she had invented it.

Many colored citizens here were angry and distressed because the Globe - Democrat's editorial and stories bore the suggestion that the former Belgian Congo was a land of rapists, and that colored men here constituted a menace to all women.

Woman Who Falsified Rape Charge Draws $500 Fine

ST. LOUIS (ANP) — A white woman who has admitted to police here that her story of being raped by five Negroes was a hoax was fined $500 by Police Judge Rodney Weiss after she was found guilty of making a false police report.

Mrs. Wanda Lou Landis received the maximum penalty that could be assessed for the offense.

A state misdemeanor charge of making a false report to police is pending. Maximum penalty upon conviction is a fine of $1,000 and a workhouse sentence of one year. The state charge is to be heard Nov. 17.

Six days after Mrs. Landis reported the alleged rape to police, she admitted her story was a hoax. She said she spent most of the period drinking with a Coast Guardsman.

Was with Coast Guardsman—

Mother of two admits rape story was hoax

ST. LOUIS, Sept. 26—(AP)—The wife of a soldier stationed in Germany admitted yesterday, police said, that her story of being abducted and raped by five men was a hoax. Mrs. Wanda Lou Landis, 20, was booked on suspicion of making a false report of a law violation.

The mother of two children, a 2-year-old daughter and a 3-month-old boy, Mrs. Landis was released on $500 bond pending the filing of formal charges.

MRS. LANDIS, a white woman, told police five Negroes pulled her into a car off a busy street corner Sept. 17, drove her around for more than 24 hours and raped her repeatedly.

She was found weeping by residents of a South St. Louis neighborhood where she said her assailants had dumped her.

The story aroused public indignation. A reward of more than $3000 was collected for information leading to solution of the case.

But police began to notice discrepancies in the story and questioned Mrs. Landis at length. She finally admitted the hoax, said Chief of Detectives James L. Shea, and gave a 9½-page statement containing this story:

Mrs. Landis picked up a Coast Guardsman in her car on the afternoon of Sept. 16, drove him to nearby Alton, Ill., and returned to her home, where she drank a bottle of gin.

SATURDAY, SHE encountered the Coast Guardsman in a St. Louis bar. They drank, danced and visited other taverns.

Saturday night and most of Sunday, they spent in a car and a vacant house.

Authorities said the Coast Guardsman verified the story. He was not charged or identified.

Police said she told them she made up the hoax because:

"I had heard a police officer say that I looked like I had been raped. I then thought of the story.

27h(1) 1960

NEW JERSEY

9647

Four Negroes Try To Assault White Woman

Jackson Daily News
Jackson, Miss.
Thurs. 1-28-60

HADDONFIELD, N. J. (UPI)—Four young Neyroes last night abducted a 19-year-old white girl, forced her to disrobe at gunpoint and attempted to rape her, police said today.

Police said the girl was sitting with a young man in a parked car in Camden County Park when a second car bumped the rear of their car and a Negro with a gun forced her companion to hand over five dollars and his car keys.

The girl was ordered into the Negroes' car and driven about one-half mile before the Negroes stopped, forced her to undress and three of them attempted to criminally assault her, offices said.

The girl said she began screaming and was thrown from the Negroes' car. A group of teenagers, who said they spotted her standing nude in the street, drove the girl to a police station.

A police physician, who examined the girl, said she had not been raped. Police withheld the names of the girl and her companion.

9648

Two Negroes held in rape

ROCKAWAY BEACH, N. Y., March 19—(AP)—Police Saturday held two Negroes accused of terrorizing a white mother and her two young sons and then raping her at knife-point.

Charged with rape, assault and robbery were Willie E. Loyd, 20, and Sylvester Cholomondely, 18, both of Rockaway Beach.

Detectives gave this version:

The men had been drinking heavily before they broke into the basement apartment of a 49-year-old widow, who was alone with her sons, 15 and 12. The men, one of them brandishing a knife, quickly subdued the boys, then took $12 from the mother.

For an hour and a half, they stayed in the apartment, drinking beer from the refrigerator and threatening the family. When the men took the woman into a bedroom to rape her, the older boy fled and called police.

Two patrolmen caught the pair in an outside courtyard.

The mother, whose name was withheld, was treated for shock and then released.

Youth held in attack

WASHINGTON

A 13-year-old school girl was reportedly criminally assaulted during a party in the 4300 block of 7th St., NW, on March 4.

Reports of the alleged assault were disclosed in Municipal Court this week when John Alexander, 19, of the 1700 block 8th St. NW, was held for grand jury action in connection with the incident. Alexander was held under $10,000 bond on a charge of rape.

Alexander, according to police, also is known as "Frog."

* * *

POLICE REPORTS indicate the 19-year-old youth was arrested after complaints by the girl's father.

The youth was arrested and held for bond by Judge Reeves after a preliminary hearing Saturday.

Negro Rapes Secretary In Her Office

NEW YORK (UPI) — A 17-year-old brunette secretary was bound, gagged and raped at gunpoint by a Negro Monday in the law office where she worked.

The girl, whose name was withheld, said she was working alone in the office when the man entered. He forced her into a smaller room at gunpoint where he attacked her. The girl freed herself about an hour later and notified employees in another office who called police.

2 Negroes Terrorize, Rape Widow

ROCKAWAY BEACH, N. Y., March 19 (AP) — Police today held two Negroes accused of terrorizing a white mother and her two young sons and then raping her at knife-point.

Charged with rape, assault and robbery were Willie E. Loyd, 20, and Sylvester Cholomondely, 18, both of Rockaway Beach.

Detectives gave this version:

The Negroes broke into the basement apartment of a 49-year-old widow, who was alone with her sons, 15 and 12. The youths, one brandishing a knife, quickly subdued the boys, then took $12 from the mother.

For an hour and a half they stayed in the apartment, drinking beer from the refrigerator and threatening the family. When the youths took the woman into a bedroom to rape her, the older boy fled and called police.

Two patrolmen caught the pair in an outside courtyard.

The mother was hospitalized for shock and then released.

Negro pair rapes mother in New York

ROCKAWAY BEACH, N. Y., March 19—(AP)—Two Negroes broke into an apartment Saturday and raped a 49-year-old white woman after first beating up her two young sons, police said. The men were caught when they tried to flee.

Willie E. Lloyd, 20, and Sylvester Cholmondely, 18, both of Rockaway Beach, were charged with rape, assault and robbery.

Police said the men had been drinking heavily. They broke into a basement apartment of a widow and her sons, 15 and 12.

THE BOYS WERE quickly overpowered. And for 90 minutes the men, brandishing a knife, terrorized the family, police said. They drank beer from the ice box and demanded money. The women gave them $12.

When they took the mother into the bedroom to rape her, the older boy fled into the street shouting for police.

Two patrolmen quickly arrived and caught the men in a courtyard, after firing five shots. No one was hit.

The woman was taken to Rockaway Beach Hospital in shock. Her name was withheld.

9649

B'klyn Spinster's Rape, Murder Confessed by Ex-Convict, 22

'She Woke, Screamed; I Hit Her, Burglar Admits to Cops

A 22-year-old exconvict confessed early today that he brutally raped, robbed and murdered a pious 77-year-old Brooklyn woman.

After questioning more than 100 known and suspected burglars, Brooklyn detectives wrung from David Coleman, of 279 Cumberland St., Bklyn., a confession that he had strangled Miss Margaret O'Meara in her bedroom last Nov. 27. She was found sprawled on her bed beneath a large painting of the Madonna.

Grinning occisionally, the 6-foot, 175-pound Coleman told police he climbed through the bedroom window of the woman's apartment at 277 Washington Ave. while she slept and took $6 from a black purse hanging on the closet doorknob.

Victim Awoke.

"I was going back out the window when the old woman woke up and screamed," police quoted him as saying. "I ran over and hit her in the face I don't know how many times. When she became quiet I tied her hands behind her and raped her. I looked up and saw the picture over the bed."

Because Miss O'Meara's purse was empty, her hands tied and the fire escape window open, police were convinced the killer was a professional burglar. Further, they were convinced he was the same burglar who raped a young Brooklyn housewife a month earlier in the same neighborhood.

Brooklyn East homicide and burglary squads teamed up to pick up every available member of Brooklyn's burglary brotherhood.

Nabbed at Terminal.

Yesterday morning, burglary squad Detectives William Averill and James Casey saw a young Negro carrying two portable typewriters. He hopped into a taxi at DeKalb and Lewis Avis Aves., Bklyn, and went to the Greyhound bus terminal in 34th St., Manhattan, where the officers collared him.

The suspect identified himself as David Coleman, 22, 279 Cumberland St., Bklyn.

Police said he admitted stealing the typewriters from the King Baptist Church, 928 DeKalb Ave. He also confessed about 20 other church, synagogue and apartment robberies.

Changed Story.

But he denied being a rapist and killer until confronted by the Brooklyn housewife and a witness who saw him leaving her home. Then, police said, he confessed that he had killed Miss O'Meara.

Coleman told police he went

A man with a lot on his mind, David Coleman sits handcuffed to chair after police said he confessed being a rapist and killer.

to a Catholic priest three weeks ago, "and confessed hitting an old lady and having intercourse with her." The priest advised him to give himself up to the police, he said. Instead he went to visit an aunt in Virginia. He returned to Brooklyn last week.

4 Sentenced In Assault Case

NEW YORK (AP) — Four Negro youths accused of raping a 14-year-old white girl have been sentenced to reformatory terms of 2½ to 5 years on a reduced charge.

The fourteen-agers, sentenced Tuesday, pleaded guilty Nov. 17 to felonious assault with intent to commit rape after the prosecution recommended acceptance of the plea. Had they been convicted of rape, they could have been sentenced to up to 20 years.

Asst. Dist. Atty. Anthony J. Di Paola commented, "This was not a typically vicious attack. The victim was on a social basis with the defendants before the attack."

The girl, Elvira Negri, admitted kissing and hugging one of the defendants, Jacob P. Bethea Jr., 17, a few days before the attack. She testified she had promised him more intimacies, but she said she did not intend to keep the promise.

The others sentenced were Henry C. Stokes, 16; Edward Jacobs, 18, and John P. Rich, 15. The girl said the boys threatened her, punched her, dragged her to the landing of an outside stairway and then raped her.

Negro Held For Raping War Bride

NEW YORK (AP) — A 16-year-old Negro youth was arrested Friday and charged with raping a white hat-check girl on the roof-top landing of her Manhattan apartment house.

James McBride was seized after a chase on the roof of the six-story building by a patrolman who fired two warning shots before making the arrest.

The victim was Mrs. eYvett Bornstein, 29, who was returning from her job. Mrs. Bornstein, a French war bride, is the mother of a five-year-old son.

The woman said McBride accosted her as she entered the apartment building, then dragged her into a self-service elevator to the roof-top landing.

Her screams aroused neighbors, who summoned police. Her husband and son, in their fourth floor apartment, did not hear her cries for help.

McBride was held under $7,500 bail.

Trap Suspect In Nov. Rape Of Widow, 85

8 Million Fingerprints Checked by the Police

A three-and-a-half-month police check of nearly 8,000,000 fingerprint files, combined with the spotless housekeeping of an elderly Brooklyn widow, landed a twenty-eight-year-old machinist in jail yesterday on a charge of raping and beating the eighty-five-year-old semi-invalid widow, police disclosed.

The only prints the police had were partial impressions left on a spotless oilcloth tablecloth in the kitchen of the housekeeper's Flatbush home on Nov. 1 when, police said, the woman was beaten and raped at knife-point. A detective said that if the oilcloth had not been freshly scrubbed, "these prints would never have been recognized."

Trail of Burned Matches.

The identification of the prints was made Saturday morning and detectives, after checking the suspect through four previous addresses, arrested James D. Pierce, twenty-eight, at his room at 117-47 135th St., South Ozone Park, Queens. He was charged with robbery and felonious assault in addition to rape.

Police said he had entered the widow's home near the Flatbush section of Brooklyn at 4 a. m. on Nov. 1 by climbing through a kitchen window. In the process, police said, he left the partial smudges on the oilcloth. No other prints were found in the home, but the intruder—lighting his way with book matches which he discarded throughout the home—evidently checked every room until he stopped in the second-floor bedroom of the widow.

He awakened her, raped her at knife-point, and began drinking from a bottle of liquor he had brought along, according to the police. The suspect then beat his victim to extract information about any money she had in the home and she turned over $120 from her purse. He raped her again before leaving nearly two hours later, police reported. He also allegedly took a heirloom lapel watch.

The fingerprint file that led police to Pierce stemmed from a 1956 policy arrest and conviction. The same file had resulted in Pierce's arrest and conviction on a robbery charge in 1957. He was sentenced to from two and a half to five years in prison and was paroled last summer.

Pierce was arraigned in Brooklyn Weekend Court, where Magistrate Herbert I. Sorin ordered him held without bail for a hearing Feb. 16. The suspect was silent at his arraignment.

The widow, whose daughter also lives in the home but was away the morning of the attack, will be asked to identify the alleged assailant. The elderly woman was hospitalized briefly after she was attacked and still bears the finger marks of her attacker.

N. Y. Negro rapes minister's wife in subway station

NEW YORK, Feb. 25—(AP)—Mrs. Doris Hostetter, 46-year-old wife of a Presbyterian minister, told police last night that she had been raped and robbed by a Negro youth in a Manhattan subway station.

Mrs. Hostetter said she had left her home en route to a lecture at the Museum of Modern Art. She said she was in the 50th Street station on the Eighth Avenue line when the youth told her: "Keep walking straight ahead. Don't scream or I'll kill you."

Detectives questioned Mrs. Hostetter at the hospital while she waited for her husband, the Rev. Paul V. Hostetter, to arrive.

Two New Milestones for Helga: She Sits Down Again, Quits Hospital

Helga Koch won a victory today—she sat down.

For four months the pretty young housewife has been lying flat down in Lincoln Hospital. Three weeks ago she began learning to walk aagin.

Today, while waiting for the doctors to sign the release that would permit her to return home to her husband and two children, she practiced sitting for a few minutes.

Mrs. Koch was brought to the hospital Oct. 8. Her back, from neck to buttocks, was a mass of charred flesh. She faced death.

Not Yet Caught.

A would-be rapist had beaten her severely when she resisted him. In his insane fury he shoved her part-way into the apartment house furnace she had been tending when he attacked. The man has not yet been caught.

She had three painful skin-grafting operations. Last week the doctors told her she might go home today.

"The last few days after they told me that were the worst," Mrs. Koch told a reporter. "I became very nervous and excited. But today I feel like an angel. I think I could almost fly."

Her husband, Gerhard, added, "Four months ago I thought our life was smashed. I thought Helga would never be well again. I was suspicious of every man."

'Greatful to Everyone.'

"But now the worst is over. Helga will have to convalesce for a year. But eventually she will be completely all right. We are very grateful to every-on who helped us."

A doctor walked into the room and handed Helga the official release form. She smiled.

Then she slowly stood up and took her husband's arm. "Take me home, Gerry," she said.

The long ordeal is over for Helga Koch. Her husband, Gerhard, helps her don coat as she leaves hospital after four months.

Photo by Ravenna.

Two Negroes held in rape

ROCKAWAY BEACH, L. I., March 19—(AP)—Police Saturday accused two Negroes of terrorizing a white mother and her two young sons and then raping her at knife-point.

Charged with rape, assault and robbery were Willie E. Loyd, 20, and Sylvester Cholomondely, 18, both of Rockaway Beach.

Detectives gave this version:

The men had been drinking heavily before they broke into the basement apartment of a 49-year-old widow, who was alone with her sons, 15 and 12. The men, one of them brandishing a knife, quickly subdued the boys, then took $12 from the mother.

For an hour and a half, they stayed in the apartment, drinking beer from the refrigerator and threatening the family. When the men took the woman into a bedroom to rape her, the older boy fled and called police.

Two patrolmen caught the pair in an outside courtyard.

The mother, whose name was withheld, was treated for shock and then released.

Victim Points Out IND Rape Suspect

Faces B'klyn Man Seized In Holdup

By AL TURK,
World-Telegram Staff Writer.

The wife of a Presbyterian minister stood up dramatically in Brooklyn Felony Court today, looked searchingly at a 21-year-old Negro suspected of raping her in a midtown IND subway station last month and then said without hesitation:

"Yes, that's the man."

The 46-year-old victim, appearing in court at her own request, identified Anthony Durant, of 774 Quincy St., Bklyn., as her attacker.

Durant had been picked up yesterday as a stickup suspect.

Resembles Sketch.

Transit Authority Detectives Joseph Krauss and Joseph Moran said they first began questioning Durant about the rape case when they noticed that he closely resembled a sketch of the rapist drawn by a TA police artist, Detective Joseph P. Lombardi, on the basis of the victim's description.

Durant denied any knowledge of the rape case both before and after the dramatic courtroom confrontation.

Durant was picked up yesterday as a suspect in the Dec. 5 stickup of a woman change agent at the IRT Saratoga Ave. station in Brooklyn. The robbery netted $27. Durant insisted he had nothing to do with the holdup.

The detectives said they went after Durant because a cousin of the suspect—himself charged with two subway robberies—had implicated Durant in the Dec. 5 holdup.

Threatened Her Life.

The minister's wife was raped and robbed shortly before 9 p.m. Feb. 24 in the IND station at Eighth Ave. and 50th St.

She said a youth came up behind her on a platform and told her: "Keeping walking straight ahead. Don't make a move or I'll kill you."

He assaulted her at the end of the platform, which was empty except for the two of them, the woman told police. He took a wallet containing $35 from her purse.

The search for the rapist centered in Harlem after the victim's personal papers—also taken by her assailant—were found on Feb. 25 in a gutter at 147th St. and Lenox Ave.

Cousin Questioned.

Last week Marshal Walden, 17, a cousin of Durant's, was picked up for questioning about subway holdups on Feb. 27 and March 1. It was while being questioned about these robberies, TA police said, that Walden mentioned Durant in connection with the Dec. 5 stickup.

The Dec. 5 victim, Mrs. Gertrude Lang, of 250 Brooklyn Ave., identified Durant today as the robber, according to Detectives Krauss and Moran.

Arraigned on assault and robbery charges before Magistrate Michael Potter in Brooklyn Felony Court, Durant pleaded innocent. He was to be taken to Manhattan later for arraignment in the rape case.

Police said Durant had a record of arrests. He was picked up on June 23, 1957, in Florida on a reckless driving charge, officers said, and was seized again on Dec. 15, 1959, in Brooklyn on a charge of having a gun in his possession. The charge was dismissed Feb. 16—just eight days before the midtown subway rape.

sketch of man sought as the rapist as he appeared in court today.

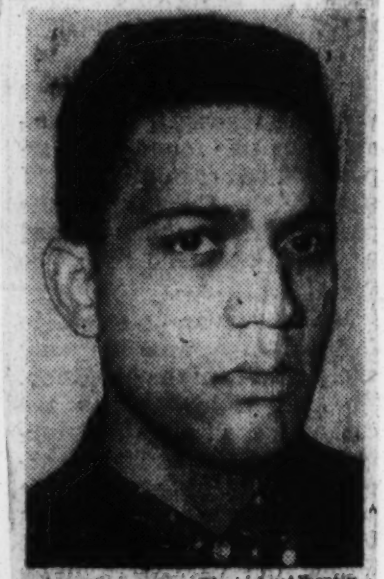


Photo by Albertin.

At left, Anthony Durant and, at right, a police artist subway rapist.

9650

Admits Assaults On Five Women

NEW YORK. — (UPI) — A taxi driver, accused of trying to rape the daughter of Novelist William Wister Haines, has confessed similar assaults on five other women.

Robert Pearson, 27, was arrested Dec. 24 in the attack on Laura Haines, 20, a Radcliffe college student, because he forgot to inspect the rear seat of his cab after shoving her out. A driver who took over the cab on the next shift found an identification tag belonging to the girl.

Miss Haines, who was beaten severely in fighting off her assailant identified Pearson in a face-to-face meeting at the home of her aunt in Oyster Bay, N. Y.

"You're the one who did it," she said.

"I'm sorry," replied Pearson, "I must have had too much to drink."

Under further questioning by police, Pearson, wearing a green hop cap, tan jacket, brown pants and pointed yellow shoes, admitted that he had beaten, robbed and sexually assaulted five other women in the last six months. Police said two of the women were white and the others were Negroes.

Police said that Pearson also was being questioned about recent sex murders in (Queens) New York.

Miss Haines was en route home to spend the Christmas Holidays with her family when she hailed the cab driven by Pearson at La Guardia Airport Monday night, Dec. 21. She asked to be driven to the marine terminal, where she was to board a plane for California.

However, the driver turned off at a lonely spot, jumped into the back seat and tried to attack her. After a struggle, he shoved her out of the cab and drove off with her luggage, clothing and jewelry valued at $1,000 and $170 in cash. The money and other items were recovered from Pearson's apartment by police.

Pearson was booked for assault, robbery, attempted rape and an additional sex charge.

Miss Haines' father is the author of several novels, including "Command Decision."

Detectives located Pearson by following his young son home from school.

They had been tipped through another cabdriver that Pearson might be the man they wanted but could not learn his present address. They found out, however that his son attended a Bronx school, and they followed the boy home December 23.

Police said the man fitted Miss Haines' description of her attacker: a tall, husky, light-skinned Negro with a pencil-line mustache.

She identified him at the home of her aunt, Mrs. William R. Gherardi, of Oyster Bay, N. Y. Mrs. Gherardi said Miss Haines still was sufferring from the effects of the assault.

"The child took a terrible beating," she said.

The cabdriver had kicked her out of the cab in a remote area after struggling with her in the back seat. He then drove off with her luggage, containing Christmas presents, clothing and jewelry valued at $1,000 and $170 in cash and travelers checks.

The dazed girl walked several blocks and hailed a bus. The bus driver let her off at a spot near a telephone, where she called the police.

Attacked 6 Women, Cabbie Says

Identified by Student Victim, He Confesses, Is Held in $55,000

By Judith Crist

A thirty-year-old Bronx cab driver was held in $55,000 bail in Queens Felony Court yesterday on assault and robbery, attempted rape and moral charges in an attack in his cab on a Radcliffe College student near LaGuardia Field Monday night.

Police said Robert Pearson, of 1231 Fulton Ave., admitted not only his attempted rape and robbery of Laura Haines, twenty, but also attacks on five other women, two in the Bronx and three in Brooklyn, who had hailed his cab. They said they intended to question him "actively" about the still unsolved murder of Paula Michaelis, who was raped and strangled in Queens on Sept. 28.

If the charges against him were true, Magistrate Milton Solomon told Pearson, "there is no doubt that today the whole community is shocked at this dastardly and brutal act. You have besmirched the good name of all the decent and honest taxi drivers in the City of New York. It is beyond belief that a female must now be afraid to enter a taxicab even though they are licensed by and under the supervision of the police of the City of New York."

A college identity card belonging to Miss Haines, daughter of William Wister Haines, author of Command Decision" and other novels, provided the first clew to the attacker, and Pearson's seven-year-old daughter unwittingly led police to Pearson himself on Wednesday.

Story of Assault

Early Tuesday morning Miss Haines had reported the assault by a cab driver whom she hailed outside the main terminal at LaGuardia to take her to the Marine Air Terminal, a half mile away, to catch an 11:55 p. m. flight to her home in California. The driver, according to Miss Haines, drove some distance, then stopped the cab and, after she fought off his attempted rape, shoved her out of the car and drove off with her purse and suitcase, containing cash, travelers' checks, jewelry and clothing totaling more than $1,200.

Herald Tribune photo by Ted Kell

Laura Haines entering Queens Felony Court yesterday.

A number of suspects were questioned after Miss Haines, her eyes blackened and her body bruised, reported the attack, but it was not until 9 a. m. Wednesday that a definite clew was reported. A cab driver who relieved Pearson found Miss Haines' Radcliffe College identity card under the front seat of the cab when he took it over at the company's Long Island City garage. He turned the card in to the Hack Bureau, which in turn referred it to Detectives Edward Kuroly and William McAllister, of the Astoria precinct, who were assigned to the case.

False Addresses

The detectives got Pearson's Brooklyn address from his employer, only to find that he had moved seven months ago. The employer also had two Bronx addresses for him. The first turned out to be fictitious. At the second, 1234 Fulton Ave., Bronx, they found a marshal's notice on the door reporting that the Pearson family had been evicted the day before, Tuesday.

From neighbors the detectives learned that Pearson had a daughter attending the local school. They waited until school and an after-school Christmas party were finished and while the little girl played in the snow. At about 5 p. m. she finally headed for home, leading the detectives to a one-room basement apartment across the street at 1231 Fulton Ave.

Identified by Victim

Pearson and his wife, Evelyn, were home. The short, stocky hackie, a cab driver for four years, denied any knowledge of the attack and repeated his denials at the Astoria precince house where he was taken for questioning. Late Wednesday night police took him to Oyster Bay, L. I., where Miss Haines was staying with her aunt, Mrs. William R. Gherardi. While the suspect was kept on the stop, Miss Haines came to the front door.

"There's absolutely no doubt whatsoever. That's the man," she told police.

"Yes, I did it," Pearson said, then looked at the girl. "I'm sorry for what I did. I had a couple of beers that night."

Previous Attacks

Police then took him to the closest city station, in Bayside, Queens, over the Nassau County line, where he allegedly made a statement in regard not only to this assault but to five previous attacks. Miss Haines had described her assailant to police as a six-foot, 180-pound Negro with a small mustache. Pearson is about five-foot-seven, weighing about 155 pounds, with a pencil mustache. Police said his previous victims in-

cluded three Negro and two white women.

At Pearson's home, police said, they recovered all Miss Haines' possessions except her pocketbook, which Pearson said he had thrown from the cab and $50 she had in cash. Police recovered a $700 pearl necklace, a birthday gift from her mother; $120 in travelers' checks and three airline tickets valued at $200 that had been in the pocketbook, and her suitcase, containing clothing, sundries, gifts, a philosophy text and a Greek textbook, worth a total of $242. The total robbery was valued at $1,312.

Arrested in 1956

Pearson had been arrested in 1956 in Brooklyn for felonious assault, police said, but the charge was dismissed.

Police said the cab driver told them that he was fourth in line outside the LaGuardia main terminal when Miss Haines approached his cab. Three other hackies had refused to take her to the Marine Air Terminal, he said, because the trip would register only 50 or 60 cents on the meter and cabbies pay 50 cents to park outside the main terminal, expecting long hauls from returning plane passengers.

Praise for Police

Miss Haines, a tall, slim blonde, smartly dressed in a green print dress, green cloth coat and veil hat that did not hide the puffiness of her blackened eyes, appeared with her aunt and uncle at Pearson's arraignment. After Magistrate Solomon set hearing for Jan. 8, she left the court with her relatives.

"The police are wonderful," she said. "All I want to do now is get home to my parents," who live in South Laguna, Calif. She was, she said, trying to get new plane reservations for the trip to Los Angeles, "but they're very hard to come by at Christmastime." But she did get a flight out by noon.

Robert Pearson, who admitted attacking Laura Haines, in the Astoria police station yesterday.

Of Brooklyn nurse—

Negro gets prison term in rape, robbery charge

NEW YORK, Feb. 6 (AP)—King's County Judge Samuel S. Leibowitz has sentenced a 20-year-old youth to 30 to 60 years in prison for raping and robbing a Brooklyn nurse.

"You and your kind have struck fear in the hearts of women," Judge Leibowitz told Leroy Grant, a Brooklyn Negro.

"They don't venture out after dark," the judge added, "but this sentence will remove one savage beast from circulation for a long time."

Grant was stunned by the sentence. He had pleaded guilty to the robbery charge Dec. 10, hoping for a light sentence.

POLICE SAID HE raped a young Negro nurse last Nov. 4 at knifepoint in a vacant lot in Brooklyn. He had tried to rob her but found nothing in her purse, they said.

The nurse toured the neighborhood with two detectives. Grant was spotted standing on a street corner, the long kitchen knife still in his hand.

"Help," shouted Grant when the police approached him. "These white men want to lynch me."

The detectives said they had to hold off a crowd of about 100 Negroes at gunpoint until other ponce arrived.

Negro Given Long Term For Assault

NEW YORK, March 3 (UPI)—A hulking Negro laborer today was sentenced to from 55 to 110 years in prison for kidnaping two young white girls in front of a hospital and attacking them repeatedly at knifepoint.

Handcuffed Dwight Tippens, 25, 6-foot, 4-inch 200-pounder, sat with lowered head as Brooklyn Judge John R. Starkey imposed sentence on 11 counts, including kidnaping, robbery, rape, abduction and grand larceny.

Starkey directed that six of the sentences be served consecutively, which added up to a minimum of 55 years.

"He is a beast masquerading in man's clothing," said the Judge. "It is the most revolting case ever to come to my attention as a lawyer, judge or citizen."

Willie Walker, 22, also a Negro, who was with Tippens during the kidnaping, was sentenced to 5 to 10 years in prison for grand larceny. The two victims had testified that Walker did not attack them and had tried to get Tippens to leave them alone.

The 20-year-old victim and her cousin, 16, were seated in a car in front of a hospital in Brooklyn waiting for relatives last Dec. 3 when Tippens pushed a knife through a partially opened window and forced them to let him and Walker inside.

The two men drove them to a deserted area where both were attacked by Tippens.

Minister's Wife Raped On IND Platform

The 46-year-old wife of a Presbyterian minister, who had just left the Museum of Modern Art, was raped and robbed by a Negro youth last night on a deserted platform in the IND subway station at Eighth Ave. and 50th St.

Sobbing hysterically as she was treated at Polyclinic Hospital, she told detectives she got off a train on the station's lower level and was walking along the platform when the youth sneaked up behind her and said:

"Keep walking straight ahead. Don't make a move or I'll kill you."

Felled Her

When she reached the end of the platform, she said, the youth knocked her down, raped her, took a wallet containing $35 from her purse and fled.

She staggered to an upper level change booth and reported the attack to an attendant. He called police and directed her to the hospital. Her husband met her there and took her home.

The victim described her attacker as between 19 and 21 years old, over 6 feet tall and weighing about 150 pounds. He was dressed in a tan shirt and a dark overcoat, she said.

Assault Deplored

The assault on the minister's wife was deplored today by Dr. Dan M. Potter, executive secretary of the Protestant Council of the City of New York.

"A crime of this nature is upsetting regardless of the victim," he said. "But it is particularly sad when the victim is one who has devoted so much of her life to helping individuals and families in one of the city's most troubled areas.

"This act is just another symptom of the low level of the moral climate that exists in America and it challenges the government, the church, mass media and all social agencies to unite their creative energy to strengthen the moral and spiritual level of our community and nation."

N. Y. Negro admits rape of minister's wife in subway

NEW YORK, March 8 (AP)—A 21-year-old Negro admitted today he raped and robbed a Presbyterian minister's wife in a midtown Manhattan subway station, police said.

Mrs. Doris Hostetter, 46, who is white, picked Anthony Durant from a 12-man lineup yesterday in Brooklyn court.

MRS. HOSTETTER was shown the lineup after police noticed a resemblance between Durant, a robbery suspect, and a police sketch based on the woman's description of the rapist.

"That's him," Mrs. Hostetter said immediately on seeing Durant. Police said he was questioned all day and into the night before he finally admitted the rape. They said Durant also admitted six robberies of subway change booths in Brooklyn.

MRS. HOSTETTER was attacked Feb. 24 in a station near Madison Square Garden while returning from an art lecture.

She said a Negro man told her: "Keep walking straight ahead. Don't scream or I'll kill you."

She was marched to the end of the subway platform, then raped and robbed of $35.

Police said Durant told them: "I lost my head."

He was charged with rape, assault and robbery.

9651

White Captain Forced Young Boys On Wife

BEAUFORT, N. C.—A white tugboat captain is being held for Superior Court on charges of forcing four young colored boys to engage in sexual intimacies with his wife.

A 42-year-old woman, she is also being held on the same charges.

Judge Lamber Morris admitted both defendants to bond after quashing charges of kidnaping against the couple. The wife, Mrs. Mary Willie, posted $500 bond, while Louis Edward Willis, the husband, is free on a $1,500 bond.

According to a news report, a 14-year-old boy said the couple approached him the night of Oct. 28, and following a purported exchange about the residence of a Mr. Jones, forced him into a car between them.

Failing to regain the cooperation of the 14-year-old, the couple assertedly began seeking boys at random. When this failed, the husband reportedly grabbed one 12-year-old boy by the arm, and forced him into the automobile.

The husband reputedly had a knife in his hand, but laid it down when the unwilling passenger was in the automobile. On Dec. 3, with three 12-year-old boys in the car, the Willis couple reportedly drove out the Crab Point Rd. but the boys said they were scared. They asked to be released.

The child said the couple drove to a point beyond the local golf course, where the man ordered him into the back seat. Then the wife got in the back seat, it was testified.

Given one dollar, the boy said he was advised dnot to tell what happened and discharged from the automobile in Morehead, his home. Willis reportedly approached the boy several times later, only to be refused each time despite offering to pay the youngster the sum of $15.

When Willis gave up to plan and drove the car back toward the city, the boys jumped out and ran to the home of the game warden, George Ross.

The latter accompanied the boys and spotted the Willis car, ascertaining its license number. Within 10 days, the Willis couple was in jail.

10 Years Given Negro For Rape

Special to The Post-Herald

ASHVILLE, Jan. 19—Erskin Mostella, 17-year-old St. Clair County Negro, was found guilty this afternoon of raping a young white woman and sentenced to 10 years in prison.

The Circuit Court jury deliberated about 15 minutes last night and from 9 a.m. today until just before 4 p.m.

The Negro was accused of raping the 22-year-old Birmingham woman in her room at the Midway Cafe near Ashville in December, 1958. A baby was born in Birmingham last Sept. 21. County Solicitor Talmadge Fambrough said the baby boy had been taken by the state and placed in a Negro home.

The woman worked at the cafe owned by relatives, and the Negro youth was a handyman there.

Mostell was defended by Atty. Frank Embry, appointed by the court. Circuit Sol. George Hawkins and Fambrough prosecuted.

Woman Attacked; Youth Is Arrested

A white woman living alone was beaten and robbed by a young man who broke into her home in the Wilder's Grove section early Friday morning.

A few hours later, Wake County officers arrested Melvin Lee Smith, 19-year-old negro, and charged him with first degree burglary and attempted rape. He was being held in Wake County jail last night without privilege of bond.

The victim, Mrs. Frank C. Smith, a widow, told officers she was awakened about 1:30 a.m. by the barking of her small dog in the hall of her home on the old Wake Forest highway.

She said she switched on a light beside her bed and saw a Negro man standing in the room.

Turned off Light.

"He turned off the light," Mrs. Smith said, "and knocked me over behind the bed."

Mrs. Smith said her assailant ripped off her nightgown and attempted to rape her. She said she screamed, kicked and fought her attacker and tried to persuade him to take her car and leave.

She said the assailant took her pocketbook from a chair in the bedroom and dumped the contents onto the floor, and found a $20 bill and three $1 bills.

He demanded more cash, Mrs. Smith told officers, and she told him she didn't have any more money in the house, but if he would leave, she would write him a check.

He refused to take a check, she said, and continued to demand cash. She said he tried to rip the phone from the wall and told her several times, "I'm going to kill you."

Finally he left, backing down the stairs and out the front door, Mrs. Smith said.

Bloodhounds Used.

Bloodhounds were called to the scene and a search was conducted of the area, but because of the rain the dogs were unable to pick up a trail, officers said.

Acting on a hunch, Sheriff's Deputy Ed Watkins, who headed the investigation, went to a home behind the Dunn Service Station in Wilder's Grove, where young Smith lived.

MELVIN LEE SMITH.

Officers found three one-dollar bills in Smith's wallet and a $20 bill in one of his shoes.

Officers said they found one piece of a paper bag outside the kitchen window of Mrs. Smith's home and another piece of paper sack inside her kitchen. A third piece of paper sack was found on the trail between Mrs. Smith's home and the house where the youth was arrested, officers said.

The remains of a torn paper sack were found in Smith's house, Watkins said.

Mrs. Smith had told officers her attacker wore brown cloth gloves. A pair of brown gloves of the type described by Mrs. Smith we found in the youth's closet, officers said.

Bill Dunn of Dunn's Service Station told officers Smith had purchased a pair of brown cloth gloves from him Thursday evening. He said he put the gloves in a paper sack.

Mrs. Smith was treated at Mary Elizabeth Hospital for shock and bruises.

Assisting Watkins in the investigation and arrest were W. P. Whitley, head of the city-County Bureau of Idntification; Deputies L. W. Kelly, A. G. Scarborough and R. H. Linton and W. A. Sparkman, Garner police officer.

9652

Outlaw's Guard's Hunt Is a Success

Body Is Found

By BOB LYNCH.

Outlaw Robert Tyson is dead.

His body was found by National Guardsmen about 6:30 p.m. Friday in a northern Wake County woods, a mile or so northwest of Mt. Vernon Church.

Officers who examined the body said Tyson had taken his own life by sticking the muzzle of a stolen double-barrel shotgun in his mouth and pulling the trigger.

He apparently had been dead about three days. He was found lying face down with his head against a pine tree.

One hole about the size of a [illegible] was found in Tyson's head. The hole was just behind his right eye. His belt was off and buckled into a loop and officers speculated that he had used it to pull the trigger. One chamber of the gun was still loaded with high velocity buck shot.

Shells In Pockets.

All of the pockets of Tyson's khaki-colored pants and shirt contained shotgun shells.

W. P. Whitley, head of the City County Bureau of Identification, said a check of fingerprints positively identified the dead Negro as Tyson.

National Guardsmen, who joined the two-week search for the outlaw Friday morning, had walked five miles through tangled woodlands, crossed the Mangum Farm Road, a small creek and up a slight hill when they came upon the body.

One of the Guardsmen fired his rifle three times to signal the end of the long search. Major R. M. Lennon, superintendent of Camp Polk Prison, positively identified the body as that of Tyson.

The Negro fugitive, who was 41 years old Friday, walked away from Camp Polk on March 24 shortly before the mutilated body of Mrs. Clyde Farnell was found at her home. She had been stabbed 17 times. Officers said she apparently had been raped, though they have refused to disclose the results of an examination made at Rex Hospital.

Other Charges.

Two Negro women in the Falls of Neuse area signed warrants charging Tyson with rape since the search for him began.

Discovery of the body climaxed a day that had blown hot and cold with excitement.

National Guardsmen, over 400 strong, began a "walk through" on Guard designated areas 3 and 4 about 10 a.m. Friday. Earlier, a large sound truck and trailer had passed through the area calling for Tyson to surrender and for all folks in the area other than residents to clear out.

Prison guards and officials, members of the SBI, and State, county and local officers—numbering 200 or more—patrolled the roads and checked out "tips."

Shortly before noon an invalid Negro touched off a fevered search of the homes of five residents on one telephone party line.

Mrs. J. S. McCracken, who lives off the Falls Road in the search area, was talking to her daughter, Mrs. C. E. Shelby in Raleigh, when "a trembling male voice" broke in on the conversation.

Mrs. McCracken said the voice sounded as if it were that of a frightened Negro male calling for help.

The person, she said, stated that a Negro convict had broken in on his family and was threatening to kill him and his mother. It turned out to be a hoax. The Sheriff's department received a similar call from the invalid.

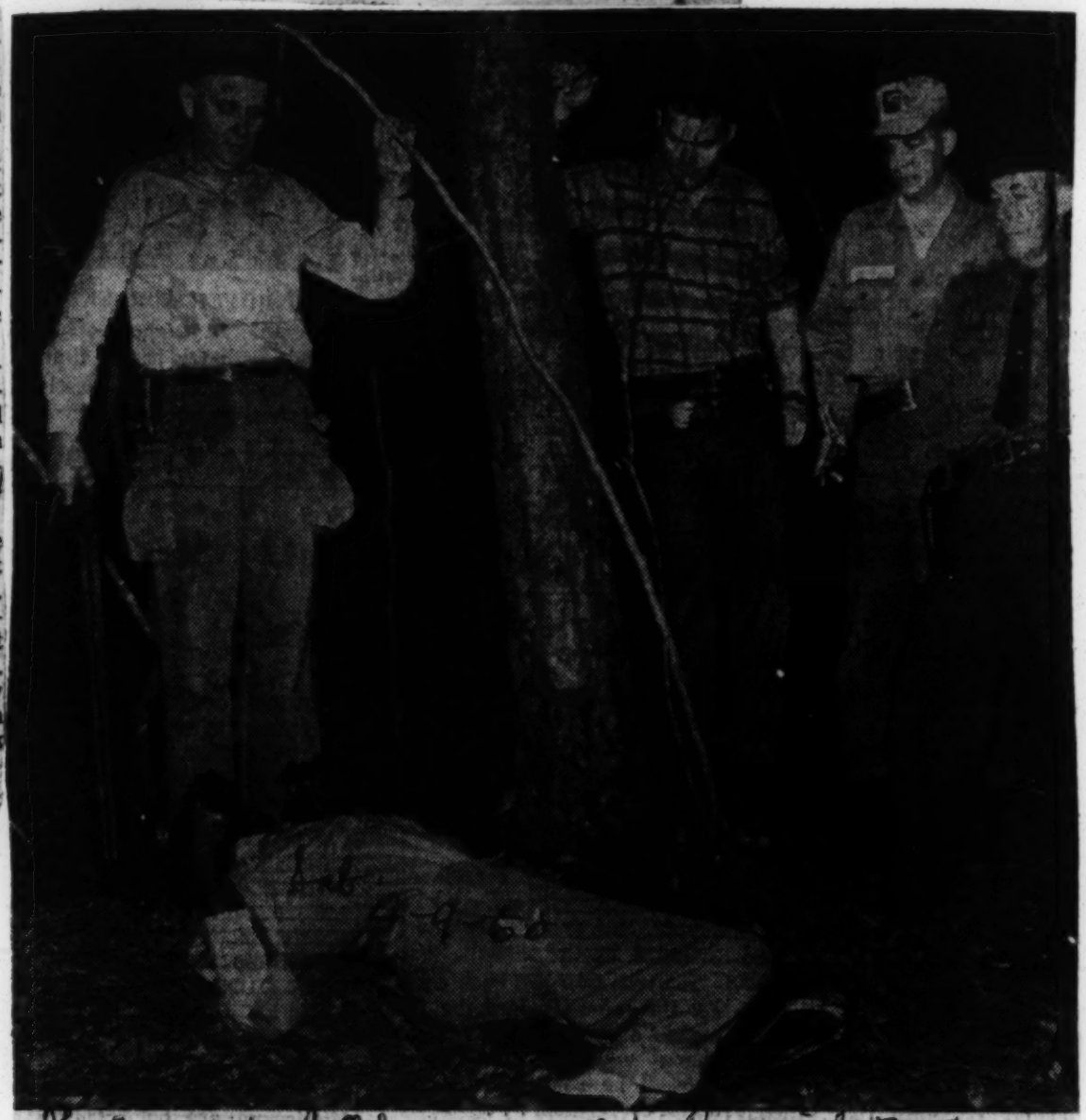
Mrs. H. T. Goss of Gillchrest Farm, about one mile northeast of Wake Forest on Oak Grove Road, drew a search party complete with bloodhounds to her home about 10 a.m. when she reported she had fired a pistol twice at a Negro suspect.

Mrs. Goss, mother-in-law of Raleigh City Policeman J. L. Bullard, told SBI Agent John Boyd and other officers that she saw a Negro man with a rifle or shotgun peeping in her kitchen window.

She said she went out on the back porch and fired two shots at him with a .38 calibre revolver.

A large footprint was found under her kitchen window, but bloodhounds could not get a trail.

On N.C. Highway 98, a few miles behind Gillchrest Farm, a State Highway Department work detail reported seeing another Negro suspect cross the highway. This lead also was checked and reported "negative."



OFFICERS LOOK OVER THE BODY OF ROBERT TYSON, FOUND IN WAKE WOODS
Deputy Jake Turner, Whitmel Anthony, Deputy L. A. Waters, Bob Perry

N. C. 'Kissing Kid' Is Jailed in New Case

The Pittsburgh Courier

CHARLOTTE, N. C. — James Hanover Thompson, 12, one of two youngsters who figured in the celebrated "kissing kids" case at Monroe, N. C., two years ago, is in trouble again.

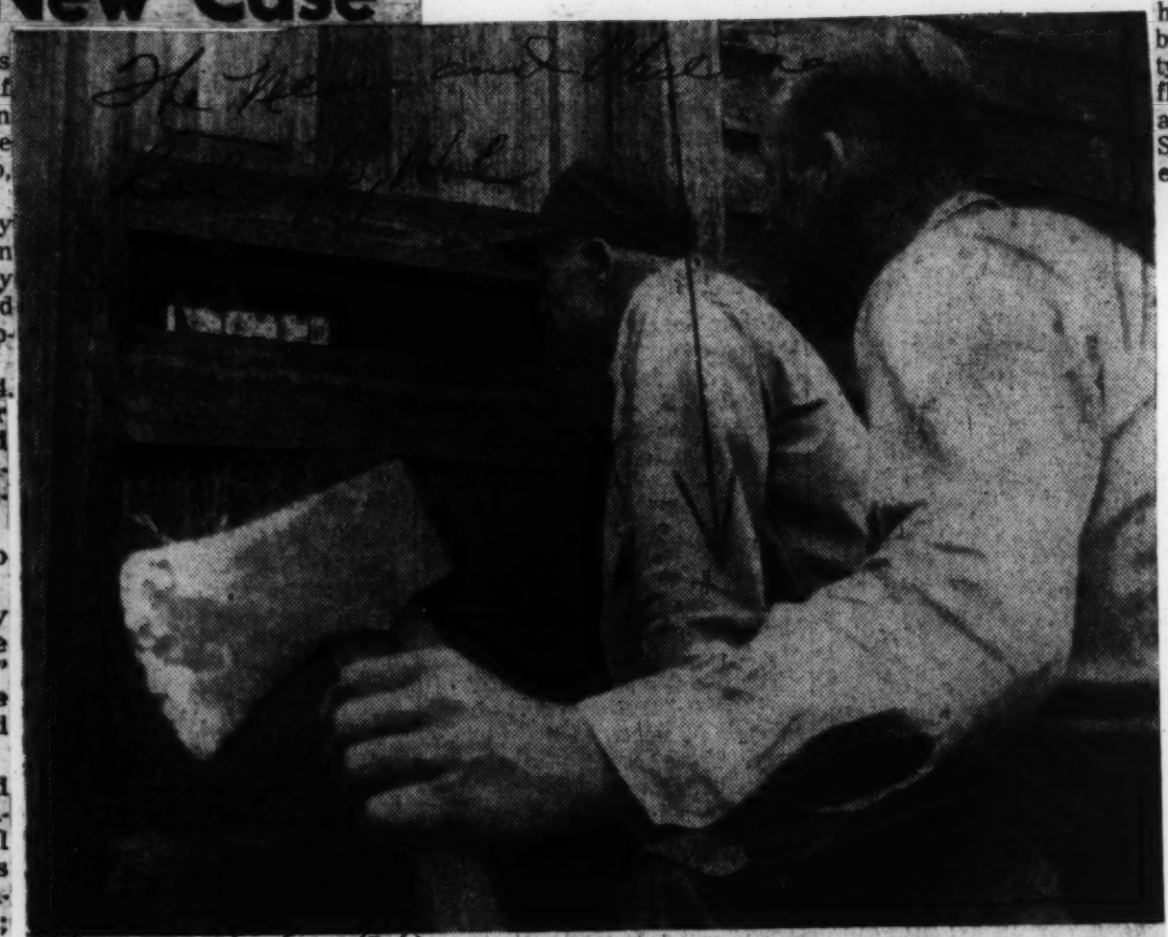
Thompson and 15-year-old Roy Junior Bivens were arrested in April and charged with sexually assaulting a 9-year-old colored girl in the apartment of Thompson's parents.

Bivens, because he is over 14, was tried Tuesday in Superior Court. He pleaded guilty and Judge Hugh C. Campbell sentenced him to 3 to 5 years in prison.

Thompson was turned over to juvenile authorities.

Thompson and another boy were arrested in 1958 at Monroe on charges they had "assaulted" a little white girl; one of the boys is alleged to have kissed the girl as the other held her.

A Juvenile Court judge ordered the boys confined to the reformatory in Hoffman County. A legal effort to have them released was made in Superior Court at Monroe in January of 1959. It failed; but several weeks later, North Carolina authorities paroled the pair into parental custody after NAACP and other interests obtained a home for the families and promised to move them into Charlotte.



MANHUNTERS—Farmers armed with axes and shotguns have joined in the manhunt in the Falls of Neuse area for Robert Tyson, escaped Camp Polk convict sought for murder and rape. (UPI Photo Joe Hollowell.)

Tyson Declared Outlaw; Governor Offers Reward

The News and Observer

Raleigh, N. C.

An escaped Negro convict wanted for murder and rape was declared an outlaw Monday night and Governor Hodges offered a reward of $400 to any private citizen who triggers the outlaw's arrest.

Robert Tyson, wanted for the murder of a Raleigh white woman and the rape of two Negroes, continued to elude a reinforced posse of highway patrolmen, prison employes and other law enforcement officers.

The search party centered on an area around the old Neuse River depot about 10 miles north of here Monday afternoon when someone tipped that they had seen Tyson. The "fugitive" turned out to be a Negro man fishing at a nearby pond.

Harold Makepeace, Governor Hodges' private secretary, said the chief executive offered the reward "to any private citizen for information or assistance leading to the capture of Robert Tyson . . ."

Statutory law permits the Governor to offer a reward up to $400 for the capture of a person who commits a felony or "infamous crime."

Tyson, 34, serving time for attempted rape, walked off his job in the Camp Polk Prison butcher shop March 24 shortly before the mutilated body of Mrs. Clyde Farnell was found in a storage shed behind her home.

Since then Tyson, who has an IQ of 72, has confused pursuing officers. He even went on far as to sign the guest register at a cabin he broke into last week.

Judge To Sign Order.

District Solicitor Lester V. Chalmers said Superior Court Judge George Fountain signed papers declaring Tyson an outlaw.

Tyson is believed hiding in a 700-acre forest situated between Bayleaf Church Road on the west and Highway US 1 on the east. He is also thought to be armed with a double-barrel shotgun and 26 shells.

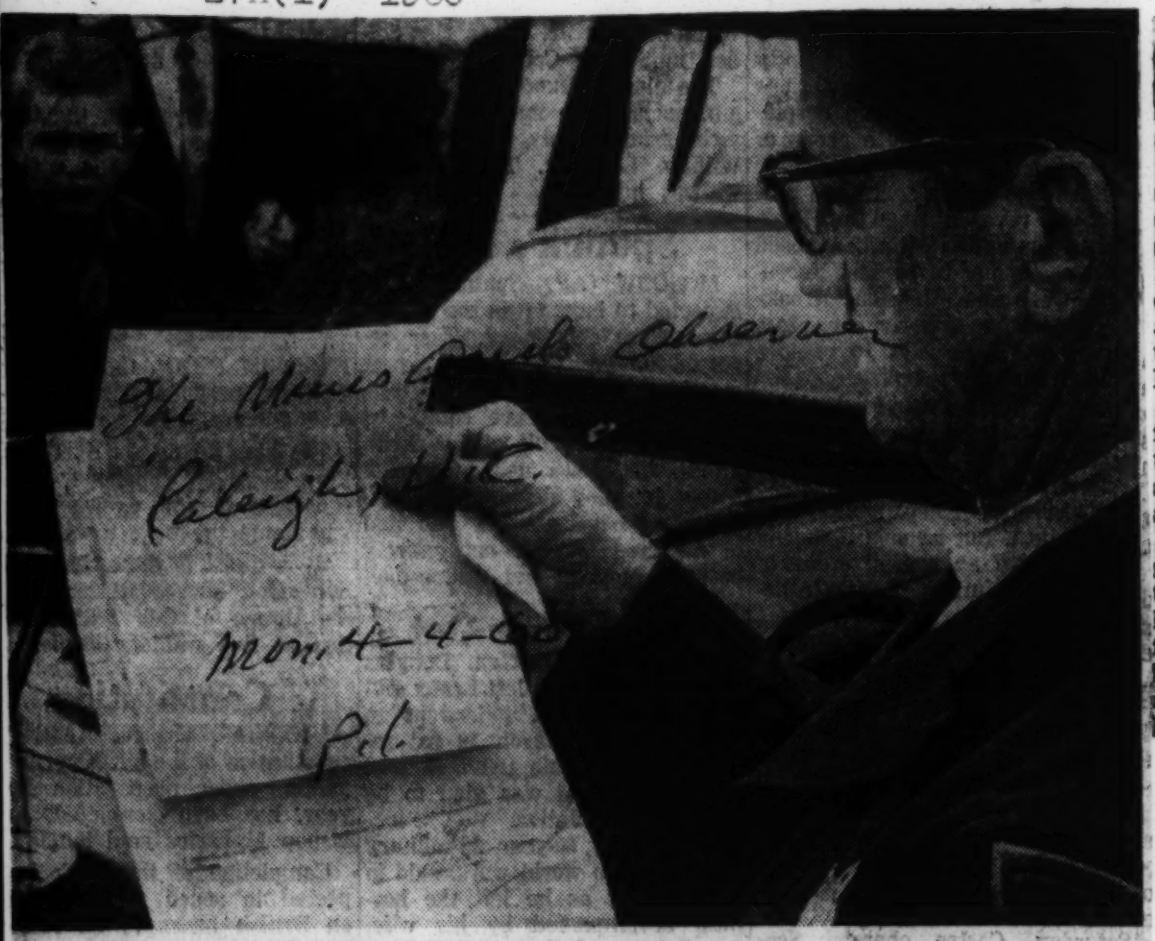
Sheriff Robert J. Pleasants said the flooded condition of the Neuse River most likely has blocked Tyson's escape to the north. All bridges are being guarded.

Strategy Meeting.

Pleasants met Monday afternoon with SBI Director Walter Anderson, Highway Patrol Capt. Richard Chadwick and Central Prison Warden K. B. Bailey to map strategy for combing the heavy wooded area.

Over 100 officers, including 32 highway patrolmen, are being brought into northern Wake County to help in the manhunt. Poor flying conditions have kept National Guard planes grounded since Sunday when they were requested.

9653



DEPUTY WILEY JONES EXAMINES SIGNATURE CONVICT LEFT AT CABIN.
(Staff Photo by Bob Lynch.)

Says Will Kill Himself

Murderer Visits Home, Assaults Two Occupants

(Other pictures on Back Page).

By BOB LYNCH.

An armed Negro convict, sought for the murder of a white woman near Camp Polk March 24, slipped back into the woods near the Falls of Neuse Sunday after holding a Negro family captive Saturday night.

Etta Mae Dunn, 22, mother of five, told officers Sunday morning that Tyson had spent the night in her home.

She said he raped her twice and also raped a 17-year-old Negro girl, Blondie Hunt, who was spending the night with her.

The woman said the Negro identified himself as Robert Tyson and told her and other members of the family that he was the one who had "killed that white lady."

The Dunn woman said Tyson said he planned to kill himself and asked her to telephone his sister-in-law in High Point, Mrs. Christine Tyson, and "tell her to give him a nice, decent funeral."

The woman, on a pretext of going to work at a motel, walked some three miles Sunday morning to a friend's house and asked her to call officers.

Hundreds of officers, including SBI agents, State Highway Patrolmen, prison officers, county deputies, some Raleigh police and special deputies, converged on the Dunn house and routed its occupants with tear gas.

Robert Tyson was not inside, however. The manhunt spread over a 25-mile radius as the day progressed, but Tyson was not found.

Residents of the search area expressed hope that the Camp Polk butcher would be caught before night. But as night shuddered through the black woods they sought the comfort of locked doors and loaded guns.

Late In Afternoon.

Tyson came out of the woods about 5:30 p.m. Saturday, the Dunn woman said, and knocked at her door.

When she heard his knock, she said, she peeped through a window, saw him and wondered if it were Tyson.

"I started not to let him in, thinking it might be him," she said. "Then I got afraid he would break the door down and kill us all."

She said he kept knocking and saying he was cold and wanted to come in. Finally she let him in, she said.

"You might as well know," she quoted him as saying, "that I am the prisoner who escaped . . . the one who killed that white lady."

She said he sat around talking for a few minutes then went across the road to a small two-room shack and returned with the rifle and a double-barrel shot gun.

He had a zipper bag with some gin and wine in it. He drank from the bottles, the Dunn woman said. He also took an electric razor from the bag and gave it to her brother, Herbert Dunn, who was arrested Sunday on charges of harboring a fugitive.

The brother was not at home when Tyson came, according to the Dunn woman. Herbert Dunn had gone to the store and didn't return until after midnight, she said.

While the brother was away, the woman said, Tyson made her lie down on the floor, where he assaulted her. She said he had already assaulted the other girl. Both women have signed warrants charging Tyson with rape. They said he didn't eat anything while at their house.

The Dunn woman said she told Tyson that she worked at a motel and would have to report for work Sunday morning.

She said Tyson told her she could go to work and he wouldn't harm the children.

"When I left," she said, "he followed me out on the porch and said he had one favor to ask. He asked me to give him a few hours and wanted me to wait until Monday to call officers."

She said it was then that he said he was going to kill himself and asked her to call his sister-in-law in High Point.

The Dunn woman said he went back into the house and she walked to the home of Clara Pulley and asked that officers be called.

She walked about a mile and a half east to the Falls of Neuse, turned right and walked another mile and a half or two miles to the Pulley house.

She did not stop and get help at the community Falls of Neuse, she said, for fear Tyson might have followed her.

The Pulley woman called officers from the residence of Tom Woodlief on the Falls Road.

Rifle Identified.

The .22 calibre rifle Tyson left at the Dunn house was identified as the rifle stolen March 24 from the home of Marvin Winston, Negro of Litchford Road.

Handwriting left behind was also positively identified as that of Robert Tyson.

The search for the six foot two, 230-pound convict was revitalized Saturday morning when it was learned that he had spent the night in the Charles H. Warren cabin on Falls of Neuse Road.

Fingerprints identified as Tyson's were found in the cabin. Also found in the cabin was a blackjack identified as one taken from the home of Clyde Farnell, whose wife was stabbed 17 times on the afternoon of March 24.

Tyson signed the cabin guest book twice, once writing his name as "Five tun Robert Tyson."

Tyson, a trusty, had worked as a butcher at the Camp Polk slaughterhouse. He was serving time for armed robbery and assault with intent to commit rape of a white woman.

Scenes of Wake County Manhunt

HOUSE WHERE ALLEGED KILLER SPENT SATURDAY NIGHT NEAR FALLS OF NEUSE
. . . See Story Of Convict Hunt On Page One. (Photos by Bob Lynch.)

ASSAULTED—Etta Mae Dunn, left, told officers she was assaulted twice by Tyson, who spent Saturday night at her house, shown at left. Sunday, she walked three miles to home of Mrs. Clara Pulley, right, who called.

DEUPTY WILEY JONES EXAMINES GUN
. . . Was Stolen Earlier By Tyson.

TYSON HID GUNS IN THIS HOUSE SATURDAY NIGHT
. . . Located Across Street From Above House.

BLOODHOUND DETAIL ON CONVICT HUNT
. . . Tyson Had Been In the Area.

27h(1) 1960

PENNSYLVANIA

9654

Negro, white man accused in rape of 15-year-old girl

WILKES-BARRE, Pa., July 26 (AP)—Two young men, one a Negro, have been accused of beating and raping a 15-year-old white girl.

Police said the men drove her from Wilkes-Barre to an isolated area in nearby Hanover Township where they beat her with their fists and raped her.

Helen Sutton of Wilkes-Barre was found along a lonely road Sunday night, badly bruised and semi-conscious. Police said she furnished the information that led yesterday to the arrest of William Conyers, a Negro, of Wilkes-Barre, and Joseph Chorba of Swoyersville. Both are 21.

The two were arraigned on charges of assault with intent to ravish and aggravated assault and battery. They were held for the Grand Jury on $5000 bail each.

Vigilantes Join Attacker Hunt On Main Line

Private citizens and authorities of three Main Line communities have joined in an all-out effort to track down a prowler responsible for at least 10 assaults or attempted attacks on women.

A vigilante committee and some 60 patrolmen and detectives from Radnor, Tredyffrin and Upper Merion townships have been coordinated by State police into a round-the-clock team to investigate the crimes and guard against new assaults.

STRUCK TWICE FRIDAY

The prowler terrorized two more victims Friday morning and eluded police, bloodhounds and helicopters that ringed the St. Davids golf course area in Radnor township.

Capt. Walter E. Price, of the State police, disclosed the following developments in the search:

Victims have furnished a detailed description of the prowler to the forces involved in the hunt.

Several victims have supervised the drawing of a sketch of the wanted man.

All homes where women live alone in the three communities have been placed under 24-hour guard.

Police and vigilantes have been assigned to patrol lonely areas.

Residents were urged to tell police about any suspicious persons lurking around residential districts.

There were no further incidents reported Friday night and Saturday morning.

Price said the sketch has not been circulated to the public because the authorities are not certain they have a true picture of the wanted man. However, all the men involved in the hunt have been supplied with photographs of the sketch.

ASSAILANT DESCRIBED

The attacker was described Friday as 5 feet 6 inches tall, weighing 170 pounds and wearing a brown cardigan sweater and a white T-shirt.

Price said the vigilantes and police are on duty from 7 P. M. to 4 A. M. State and local police conduct a day-long investigation until 5 P. M.

Mary Kenny, 42, was seized by the prowler at 3 A. M. Friday as she slept in a dwelling on the grounds of the old LeBoutillier estate on N. Wayne ave. near Deepdale rd., about a third of a mile from the St. Davids clubhouse.

A short time later, Ruth Dalton, 40, head waitress at the golf club, was grabbed by the prowler in her second-floor room. She escaped by climbing out her window.

9655

Questioned In Police Rape Case

...Police this weekend held ... Negro youths for question... connection with the rape of ... girl last Tuesday morn... in the north area.

...Meanwhile, other law enforce... agencies have joined in the ... alert for the bicycle-... Negro who attacked the girl ... was waiting for a school ... about 8 a.m. Tuesday.

...Director Marion J. Schwartz ... County Police officers have ... evidence and are now ... the list of suspects.

The girl told police the Negro ... her on a bicycle about ... from the bus stop. She ... told her to put down her ... books and then to pick ... again. He repeated this ... four times, she said, before ... her into some underbrush ... feet from the road.

She described her assailant as ... 18 years old, wearing dungarees and a jacket.

The girl was picked up by a passing motorist and taken home. She was then taken to a local hospital for examination. The authorities were then summoned. The examining physician said the girl had been raped.

State law enforcement officers and the S. C. Highway Patrol joined the intensiye manhunt.

Rewards totaling $150 have been offered for information leading to the arrest and conviction of the rapist.

State Alerted For Attacker Of Young Girl

...-wide alert was out last ... Charleston County Police ... their search for a bi... Negro youth who attacked and raped a white girl as she walked to catch a school bus yesterday morning.

Police Director Marion J. Schwartz said the Negro they want in connection with the rape of a 17-year-old girl weighs approximately 180 pounds, is 15 to 18 years old and is approximately 5 feet 8 inches tall.

Schwartz said the attack occurred shortly after 8 a. m. yesterday north of the city, about a block from a school bus stop.

Schwartz said the Negro rode up to the girl, seized her dragged her in some nearby bushes and raped her.

The examining physician said last night, "My report to the circuit solicitor (Theodore D. Stoney) will be that the girl was raped."

Late last night every available county detective and patrolman had joined forces to press the search. Lt. Mason W. Cantrell of the S. C. State Highway Patrol said that law enforcement agencies throughout the state have been alerted.

The Negro was reported to have been wearing a black Navy peacoat and possibly a tweed hat.

Five bloodhounds from the S. C. Law Enforcement Division were rushed from Columbia yesterday morning to aid in he search. Officers held little hope, however, that the assailant could be tracked with the dogs, because the Negro apparently made his getaway on his bicycle.

The girl told police that she regularly walked about one mile from her house — in the industrial area just north of the city limits — to King Street Extension to catch a school bus.

Richard Bischoff, a Mount Pleasant man who commutes to the North Area every morning, said the girl flagged his car shortly after 8 a. m. Bischoff said she seemed upset and asked him to take her to the intersection nearest her home. She did not mention the assault, he said.

Bischoff said he usually saw the girl at the same spot each morning and that she usually appeared neat. Yesterday morning, however, he said her sleeves seemed soiled and her clothing rumpled.

Some of the girl's clothing was found at the scene.

State-Wide Search On For Rapist

Charleston,

The bicycle-riding Negro who criminally assaulted a 17-year-old white girl Tuesday morning as she walked to catch a school bus was still at large last night.

County Police Director Marion J. Schwartz said detectives detained for questioning several Negro youths fitting the assailant's description. All were released, he said.

Schwartz said every available man is working on the case and "We aren't going to slow down on this case until he is behind bars."

The girl told police the Negro rode up to her on a bicycle as she was walking the mile from her house to a King Street extension bus stop. The time was shortly before 8 a.m., Tuesday.

The youth dragged her in the bushes and threatened to kill her if she made a noise. He held his hand over the girl's mouth.

The examining physician said yesterday the girl was raped.

While the assailant had the girl in the bushes, she told police, a carload of Negroes came by, stopped and drove on.

The attacker was described as 15 to 18 years old, about five feet eight inches tall and weighing about 180 pounds.

Law enforcement agencies throughout the state have been requested to pick up persons fitting the youth's description, Schwartz said.

The incident occurred on a dirt road in the industrial area just north of the city limits, approximately a block from the school bus stop.

Bloodhounds from the S. C. Law Enforcement Division — called in Tuesday morning to press the search — could pick up no track of the assailant. Police theorized that the Negro made his getaway on a bicycle, leaving no scent for the highly trained dogs.

Convicted rapists in South Carolina draw a mandatory sentence of death in the electric chair.

Alleged Rapist Once Charged In Similar Offense

A teen-aged Negro, charged last week with the rape of a white woman in mid-town Charleston, has been identified as having been held on similar charges 18 months ago.

He also was listed as being on probation following a shooting last October. He is currently held without bond.

David Wilson White was charged with holding a knife on a mid-town woman and raping her during early morning hours after her husband had left for work.

In June 1958 he was charged with also forcing himself on a George Street woman while holding a butcher knife on her. That charge was struck off at the December term of criminal court when the woman who had made the complaint could not be located. Reports were that she had left the city.

Last October White was charged with assault and battery with intent to kill in the shooting of Robert Lee Green on America Street. He entered a guilty plea and was ordered to serve seven months of a two-year term. He was released after service of approximately three months and now is on probation.

road.

City detectives arrested Brown early Sunday morning.

She told police the man was returning to the city after the attack for a second attempt. She jumped from the car before he returned to the lonely road, made her way to a nearby house and called the police.

County Police said the girl and two other girls rode in Brown's car from an early Saturday night party.

One-Legged Man Held In Rape Of 12-Year Old

A 20 - year - old one - legged Addison Court Negro man has been ordered held without bond by Mount Pleasant Magistrate Paul A. Foster on a charge of rape.

The man was identified as Joe L. Brown, 20, of 10 Addison Court.

The victim, a 15 - year - old Charleston Negro girl told County Police she was abducted Saturday night as she returned home from a party.

The assailant, she told police, drove her across to the Mount Pleasant area early Saturday night and attacked her on a lonely

Negro, 18, Is Convicted Of Raping Young Housewife

The News And Courier
Charleston, S. C.
Sun. D-C-60
P1-B

David White, 18-year-old north area Negro, was yesterday found guilty of raping a young white housewife at knifepoint during the dawn hour of May 18. The jury recommended mercy.

Circuit Judge John Grimball deferred sentence until a later date.

Testimony for the state rested primarily upon the identification of White by the victim, a 22-year-old pregnant mother of two. She testified that the morning of the attack, she was asleep in her bedroom.

"My husband had just left for his job at the Navy Base at about 6:15 a.m. and I was still in bed. I wakened to find someone sitting on my stomach and a pillow over my face.

"The man told me: 'Be still or I'll kill you all' and he said before he killed us he would rape my seven-year-old daughter, who was asleep in the next room.

"I had to quit fighting him because I was afraid for my children. Any mother would be' ", the victim testified.

The victim said after the attack, she pushed the pillow from her face and saw her attacker before he fled the house. She identified White as her attacker in a police lineup and later in court.

The woman was taken to the U. S. Naval Hospital about 8 a.m. A Navy physician said that during his examination, he found the woman to be about two months pregnant, which was unknown to her at the time.

The defense maintained that, while the attack probably took place, White was not the man who did it. White's sister, Esther Mae Edwards, said White spent the night at her residence on Palmetto Avenue in the north area. Her husband, Joseph Edwards, said White was still asleep when he left the house at 5:45 a.m. that morning.

At 6:30 a.m., city police testified they received the call on the attack, which took place on Bull Street in the city. At 6:43 a.m., company officials testified White had reported to work at his job at a north area establishment. Company records, entered as evidence, verified the time.

The state presented four witnesses, the defense five, before jury began its one hour, 19 minute, deliberation which resulted in a verdict of guilty, with recommendation of mercy.

Under South Carolina law, a rape conviction carries the mandatory death penalty, without the recommendation of mercy. With the recommendation, the sentence will be not less than five nor more than 40 years in prison.

In other court action, James E. Parrott, 33, pleaded guilty to three counts of housebreaking and larceny. He received a three-year suspended sentence and a five-year probationary sentence.

(For other court action see "Day's Log.")

Negro Goes On Trial For Rape

The News and Courier
Charleston, S.C.
Thurs. 12-8-60
P-7-A

A 32-year-old Negro went on trial yesterday in General Sessions Court for allegedly raping a white woman in a backwoods near Awendaw last July.

The Negro, Willie Gilchrist, pleaded innocent to the charge.

Yesterday, the woman took the stand and testified concerning events before and after the alleged rape.

She said she and a man named Harold Gratzick, after a July beach outing, were driving to Awendaw to see a friend.

According to the woman, she and Gratzick stopped at a service station and picked up a Negro who told them he could show them the way to the friend's house.

She said the Negro gave them directions to the house, and that he and Gratzick had gotten out of the car to look for the house when the Negro returned.

"He told me to get out of the car in the backwoods and said he'd kill me if I made a sound," she said. She then testified that the Negro raped her.

The woman identified Willie Gilchrist in court as her attacker, but also admitted identifying another Negro as her attacker on two occasions prior to the trial.

On cross examination, the woman denied a defense allegation that Gratzick had been operating a whisky still in the area of the alleged attack. She also denied that Gilchrist had been "running liquor for Gratzick."

She said that Gratzick and Gilchrist had gone to Gilchrist's house and "had a drink of corn liquor."

Dr. Paul Buchanan, the second witness for the prosecution, testified that he examined the woman after the alleged attack and found no evidence of injury. The woman lives in Charleston.

The trial will resume today at 10 a.m.

9656

Father Charged With Rape

The News and Courier

A 39-year-old North Charleston man was lodged in the Charleston County jail late Monday night after being charged with statutory rape.

Charleston, S.C.

Sheriff Silas B. Welch said the victim was the man's daughter, a 15-year-old.

The man was in the house with his daughter when arrested by County Police.

A preliminary hearing before Magistrate John R. Stall will take place today.

$150 Reward Offered In Search For Rapist

The News and Courier
Charleston, S.C.

Rewards offered for the bicycle-riding Negro who raped a pretty north area teen-ager Tuesday morning have increased to $150 county police said last night.

Marion Schwartz, director of the County Police pointed out every available detective and patrolman are working on the case. "We will not rest or search until this horrible crime has been avenged," he said.

The young school girl was attacked by a Negro Tuesday morning as she was walking to a school bus stop in the north area.

She said police the Negro rode up on a bicycle, seized her and dragged her into nearby bushes where she was raped.

Later in the day an examining physician verified the girl's story.

$150 In Rewards Offered For Arrest Of Negro Rapist

The News and Courier
Charleston, S. C.

An anonymous man added $100 to the price on the bicycle riding fiend yesterday to push the total to $250. 10-60.

Meanwhile, County Detectives were tracing down bare threads of information in an attempt to apprehend the assailant.

The 17 - year - old white girl told police she was attacked as she was walking to catch a school bus last Tuesday morning.

She said the assailant — described as 15 to 18 years old, Negro, wearing dungarees and a jacket — forced her into some nearby bushes, held his hand over her mouth and threatened to kill her if she made any noise.

Tuesday night an examining physician verified that the girl had been raped.

Reward Offered

The News and Courier

County Police Press Hunt For Rapist

Charleston, S.C.
Jan. 2-5-60

A bicycle - riding rapist was still at large last night.

Walking to a school bus stop in the North Area Tuesday morning, a pretty little 17 - year - old white girl was waylaid by a Negro.

She described him as short (five feet eight to 10 inches tall and stocky (approximately 180 pounds).

She told police the Negro rode up to her on a bicycle, harassed her for a minute, seized her and took her into some nearby bushes.

The girl was walking from her house in the industrial section just north of the city to catch a school bus when she was accosted.

The time was about 8 a.m.

The scene was a dirt road—approximately a block from the bus stop.

She told police the assailant grabbed her, took her in the bushes, held his hand over her mouth and threatened to kill her if she made any noise.

While in the bushes, she said a group of Negroes rode by in a car, stopped, looked and then drove on.

"I've always liked colored people," she said "and I've always tried to be nice to them."

She made her way to a nearby highway where she was picked up by a passing motorist who took her home.

Later in the day an examing physician verified the girl had been raped.

Since Tuesday, every available detective and patrolman in the county has been on the case.

Wednesday, Marion J. Schwartz said: "We're not going to stop till we catch him."

Usually smiling faces in the county detective office were grim and determined yesterday afternoon as the night shift came on duty.

Meanwhile, in the North Area, a father of four daughters offered $50 reward for the arrest and conviction of the rapist. The man, Andrew M. Graves Jr., of 1815 Orvid Ave., is a retired civil servant.

Youth Is Held Without Bond In Rape Case

The News and Courier
Charleston, S.C.

A 17-year-old Negro, accused of raping a white teen-age girl, yesterday was ordered held without bond for the neft term of criminal court.

Albert Leroy Chisolm Jr., alias "Wood Rat", was ordered by Magistrate Eugene Herron to be held for General Sessions Court after a preliminary hearing on the Feb. 2 attack.

County Police presented a statement which they reported was taken from Chisolm, and Chisolm stated that it was his statement and that the signature was his. It was made a part of the court record.

Chisolm was arrested on Accabee Street in North Charleston about midnight Saturday after a two-month investigation.

He is charged with attacking the girl as she waited for a school bus near an industrial plant on King Street Extension. Chisolm's home address on Discher Avenue is about three blocks from the scene.

Rewards of $500 for conviction of the girl's rapist had been offered by citizens.

Four Florida Negroes Held In S.C. Rape

The Florida Times-Union
Jacksonville, Fla.

COLUMBIA, S.C., April 13 (AP)—John Foard, assistant solicitor, says the death penalty will be sought against four Negro college football players accused of raping a 16-year-old girl.

Fellow students at the church-supported Allen University here, pleaded innocent when arraigned before Judge J. B. Ness.

The alleged attack occurred while the four were patrolling the Allen campus in the wake of racial disturbances near the school.

Those accused are Otis McClendon, 21, James Walker, 18, Henry Dixon, 19, and Bobby Allen, 19.

All four are from Florida. McClendon and Dixon are from Bradenton, Walker is from Orlando, and Allen is from St. Augustine.

The girl told police she was on her way home from a dance and stopped at a Negro drive-in restaurant. She said Walker lured her into his car on the pretext of driving her home.

She said she was taken to the Allen campus where she was dragged forcibly into the dormitory where all four men assaulted her.

9657

Tries To Shoot Singer In Court

NASHVILLE, Tenn. — (UPI) — An outraged husband pulled out a pistol in a courtroom Monday night and tried to shoot Negro song-writer Johnny Bragg, accused of trying to rape the white man's wife.

"I'm going to kill that ——," James D. Browne yelled as he pulled out the .45 caliber automatic.

County Investigator J. H. Raby grabbed Browne before he could fire and took the gun away from him.

Bragg, 33, is co-author of the hit "Just Walkin' in the Rain." He sang with a prison group while serving 13 years of a 99 year sentence on six rape convictions. He was freed a year ago when former Gov. Frank Clement commuted his sentence to life inprisonment, making him eligible for parole.

Mrs. Browne identified Bragg in a jail lineup as the man who broke into her home last Saturday and tried to rape her.

Bragg had been arrested earlier after a woman complained he blocked her car with his automobile.

Since his release from prison, Bragg has been working as an entertainer.

Singing in the Rain," include the attempted rape of a college dean's secretary and a pregnant housewife and robbery.

THE HUSBAND of one of the women tried to gun Bragg down in a police lineup last night.

"I'm going to kill that ------" James Brown shouted when his pregnant wife pointed to Bragg as the man who tried to ravish her.

Brown was restrained before he could get off a shot.

Bragg told newsmen he is innocent.

Miss Louise Patton, secretary to the dean of students at Scarrit College here, picked out the parolee in a police lineup as the man who tried to ravish her. She told police she was followed by a Negro driver in a suburban park, that he tricked her into opening her door, grabbed her and choked her into unconsciousness.

Detective J. H. Raby said a Negro intruder took a gun from Mrs. Brown at her home, tried to rape her, stole some money and left.

Bragg's arrest came on a description furnished by Mrs. Patsy Huff Johnson who reported a Negro pulled up beside her car when she stopped on a suburban road. She drove off.

ANOTHER WOMAN, unidentified, will be asked to come here from Henderson, Ky., to see if she can identify Bragg as the man who choked and robbed her last December and tried to rape her.

Bragg's love for derby hats may have hastened his undoing. The Kentucky woman said her attacker wore a derby hat. Miss Patton said her assailant had a derby hat in the seat of his car. Another unidentified woman who said she was "questioned" by Bragg, said he was wearing a derby.

Husband tries to kill Negro in police lineup

NASHVILLE, Tenn., Jan. 19—(AP)—A convicted Negro rapist and hit song writer, on parole after serving time for raping six Negro women, was back in jail today on complaints of several white women.

Charges against Johnny Bragg, the singer who co-authored "Just

8 NEGROES SOUGHT IN RAPE CASE

CHATTANOOGA, Tenn. (UPI)—Police today pressed a search for eight young Negroes who allegedly raped a Georgia white woman and beat her companion after dragging them from a car Wednesday night.

Virgil Hill, 31, of Henegar, Ala. said he was beaten and robbed of $20 and his wrist watch as he and the woman sat parked in his car in a remote section of an urban renwal area.

The 36-year-old woman, who told officers she was from Rising Fawn, Ga., reported that she was dragged into the bushes and attacked by each of the Negroes, who she said were between 14 and 21 years of age.

Hill ran to a nearby bus station and caled officers. The woman stumbled from the bushes as squad cars arrived and was taken to Erlanger Hospital, where a doctor confirmed she had been sexually attacked.

Patrolmen Don Miller and William Hill quoted the woman as saying the Negroes started to run when they saw the light of the approaching squad car.

Chattanooga Rape Report Is Probed

CHATTANOOGA, June 30 (UPI)—Chattanooga police said today they were "checking out a number of leads" in a case involving the alleged rape of a Georgia white widow and the pistol whipping of her companion by a gang of young Negroes.

W. M. Upchurch, chief of homicide, said no arrests had been made. "We still have more leads to work on," Upchurch said.

Virgil Hill, 31, of Henegar, Ala., who said he was a companion of the woman, told police he and the 36-year-old woman had driven to an isolated section of town, the site of an urban renewal project early today.

"We were over there to look at some bricks," Hill said in a statement. He said he had been hauling bricks from the site and wanted to check the progress of the project.

"I got out of the car and a group of Negroes came up on both sides of the car. They told the woman to get out. She wouldn't, so they started to pull her out.

"I tried to help her and they knocked me down and hit me in the face with a pistol," Hill said. He said he was robbed of about $20 and his wrist watch. There were about eight youths in the gang.

"They dragged the woman from the car and I ran to get help," Hill said. He said he ran to a nearby bus station and called police.

Meanwhile, the woman told police she was dragged into bushes by the youths, in their teens and early 20s, and raped.

"Every one of them attacked me," the woman said.

She said she made her way out of the bushes as police cars arrived at the scene.

"They started running and scattered when they saw the headlights of the police car and as soon as they released me I ran as hard as I could to where we parked the car," Upchurch quoted the woman as saying. She said she was from Rising Fawn, Ga.

Negroes Assault White Girl As Escort Subdued

CHATTANOOGA, Tenn. (AP)—A 17-year-old white girl told police that she was raped by four Negro youths late last night as she and a teenage boyfriend sat in a parked car on an isolated ridge near here.

The girl was undergoing a medical examination early today.

Officers said the boyfriend and the girl told them the Negroes took turns holding the boy while the girl was raped. They described one of the Negroes as 6 feet tall and wearing a knotted bandana around his head.

grabbed a pillow at the foot of my bed and tried to smother me."

She said after the incident she noticed $12 was missing from her purse.

Girl claims rape by four Negroes

CHATTANOOGA, Tenn., Aug. 5—(AP)—A 17-year-old white girl told police that she was raped by four Negro youths last night as she and a teen-age boyfriend sat in a parked car on an isolated ridge near here.

The girl was undergoing a medical examination early today.

Officers said the boyfriend and the girl told them the Negroes took turns holding the boy while the girl was raped. They described one of the Negroes as 6 feet tall and wearing a knotted bandana around his head.

Lead Claimed In Attack On Co-ed

NASHVILLE, Tenn., July 17—(AP)—Police said today they had "a lead to the identity" of the "clean-looking, neatly-dressed" young Negro who allegedly attempted to [illegible] a white Vanderbilt co-ed. The Negro apparently was frightened away by the girl's screams, officers said.

A housemother, alerted by the screams at Vanderbilt's McTyre Hall, told police she met a "clean-looking, neatly-dressed Negro calmly coming down the stairs—looking as if he belonged there."

The Negro walked out of a door and disappeared.

Mrs. Barbara Thomas, 21, a mathematics major from Atlanta, said she was awakened from her sleep Friday night by a noise.

She said she saw "this Negro standing over me.

"I screamed and he grabbed me and we began to tussle. Then he

Four Negroes Are Convicted For Rape Of White Girl, 17

The Huntsville Times
Charleston AP

CHATTANOOGA, Tenn. (AP)—An all-male white jury Friday night convicted four Negroes charged with the lover's lane rape of a 17-year-old white girl and set punishment at death by electrocution.

The jury deliberated almost two hours.

Shortly after the jury returned its verdict and stipulated punishment, Criminal Court Judge Campbell Carden sentenced Robert Parks, 23; James E. Cunningham, 22; Wilson Williams, 17; and J.C. Kelley, 17, to die in the electric chair at a time to be set later.

The Negroes were charged with raping the girl Aug. 4 as she and a boy friend were parked in a car. The girl was here from Twenty-Nine Palms, Calif., visiting relatives.

The boy and girl took the stand in the trial and testified that the Negroes took turns holding the boy while she was raped. She and her boy friend made positive identification of Parks, said they could not identify the others, but stated all were Negroes.

27h(1) 1960

TEXAS

9658

3 Assault White Woman Eight Times

FORT WORTH, Texas, Feb. 6 (AP)—The 22-year-old wife of an airman told police Saturday she was kidnaped by three Negroes and raped eight times while they held her captive.

The white woman, who had scratches on her face and body, was taken to Carswell Air Force Base Hospital near Fort Worth.

Her husband, stationed at Port O'Connor, Texas, was en route by bus to his station from Fort Worth. Police were attempting to contact him.

One Negro youth was arrested. Two more are being sought. No charges were filed immediately.

A POLICEMAN said the woman had been choked and slapped about.

Police said the woman told them she had returned to her home about 10:35 p.m. after taking her husband to the bus station.

She said three Negro men jumped into her car with her.

The three drove the auto to a spot under a bridge near the back entrance to a park. They tore her clothing off and raped her, she said.

Then, she said, the men fled on foot and left her in the auto.

She arrived at her home about 12:15 a.m. and called police.

Her purse was found at the scene.

Claim Negro Attack At Stadium

HOUSTON — Police Wednesday night issued a pick-up for a Negro man, estimated at 23 for what is without a doubt the most daring attempt of molestation reported to local officers in many a moon.

The girl, a 17 year old San Jacinto pep squad member, claims the Negro man attempted to molest her Wednesday night about 10 o'clock in the Jeppesen Stadium.

She said the attempted molestation was at knife point and her boyfriend kicked the would-be attacker and chased him away.

The incident occurred after a football game at the stadium.

Beauty Queen Slain By Rapist in Texas

McALLEN, Tex. (UPI)—The body of Irene Garza, a raven-haired south Texas beauty contest winner and second grade public school teacher, was found in a canal Thursday.

She was seized by a rapist-killer while on her way to mass in a Catholic church last Saturday.

A man and a woman on their way to work discovered the body floating in the Second Street Canal, almost in the center of downtown McAllen. Miss Garza's killer had pulled her slip and skirt up over her head.

Police Chief A. D. Mussey said a preliminary pathological examination showed she was raped, killed by a crushing blow on the upper right side of her head and thrown into the canal after she was dead.

Miss Garza was 25. During her college days she was Pan American College Queen and two years ago she won the "Miss All South Texas" title in a beauty contest

Negro arrested, admits raping white woman

DALLAS, Tex., July 22—(AP)—Joe Sneed, 22-year-old Negro carpenter, was held without bond last night, charged with the June 16 rape of a white woman.

Sneed signed a statement admitting the assault, Police Capt. Will Fritz said.

The victim, an East Dallas housewife, called police Sunday when she saw Sneed walk into a barber shop.

Fritz said Sneed admitted following the woman's car and curbing it in the pre-dawn hours. He forced his victim into his car.

After driving her to the Trinity River Bottoms and raping her, Sneed drove the woman to an all-night service station, gave her two dimes to make phone calls and fled.

27h(1) 1960

TEXAS

9659

Negroes seize woman, rape her eight times

FORT WORTH, Tex., Feb. 6— (AP) — The 22-year-old wife of an airman told police Saturday she was kidnaped by three Negroes and raped eight times while they held her captive.

The white woman, who had scratches on her face and body, was taken to Carswell Air Force Base Hospital near Fort Worth.

HER HUSBAND, stationed at Port O'Connor, Tex., was en route by bus to his station from Fort Worth.

One Negro youth was arrested by police.

A policeman said the woman had been choked and slapped about.

Police said the woman told them she was returning to her home about 10:35 p.m. after taking her husband to the bus station. She said three Negro men jumped into her car with her.

THE THREE DROVE the auto to a spot under a bridge near the back entrace to a park. They tore her clothing off and raped her, she said.

Then, she said, the men fled on foot and left her in the auto.

She arrived at her home about 12:15 a.m. and called police.

Her purse was found at the scene.

Youths jailed, accused of raping girl, 15

Two Ensley teen-aged boys have been jailed by police on charges of raping a 15-year-old girl last night while parked on a road near Pratt City.

The defendants were identified as James Lively, 19, of 2366 23rd-st. w. and Roger Parker, 19, of 2321 23rd-st, w.

Parker, arrested by officers about six hours after the alleged attack, was also charged with reckless driving and leaving the scene of an accident.

Detectives J. B. Lambert and W. W. Self said the girl was examined at West End Hospital.

Lively admitted having relations with the victim, police said, but he stated she submitted of her own will.

THE GIRL TOLD detectives that she had a date with the two youths and they had previously planned to attend a movie. However, her companions changed their mind, she said, and drove downtown and bought whisky.

The victim said the boys drove her to the Pratt City area and parked the car after drinking some of the whisky. They then threatened her with violence and raped her, she told officers.

Police reported the girl had been drinking when they investigated the complaint.

Brothers in jail—

White men held in rape of Negro

HUNTSVILLE, Ala., June 28—Two Hazel Green brothers were charged here yesterday with raping a teen-aged Negro girl late Sunday night. One was also accused of slashing the girl's companion with a knife.

Circuit Solicitor Macon L. Weaver said the white men, William Alverson, 26, and Bobby Alverson, 23, are being held in the Madison County Jail without bond. The older brother was also charged with assault with a weapon, Weaver said.

The Huntsville girl, 18, stated she was raped twice after being forced at knifepoint from her boyfriend's car, parked on a lonely road in the Moore's Mill community.

HER COMPANION, Gilbert Patton, 18, of Moore's Mill, told investigators he was dragged from his auto and slashed repeatedly with a pocket knife.

The two Negroes said they were sittng in the car when three white men drove up, pretended to be police and told Patton he would be fined for parking on the road. The men crashed their car into Patton's after he had asked whether he could pay the "fine" Monday, the youth stated.

After he was attacked and pulled from the car, Patton said, he was guarded by one man while another made the girl accompany him a short distance down the country lane.

THE GIRL SAID she was raped by one man and then by the man who had stood guard over Patton.

The couple said the third man seemed "scared" and did not take part in the knifing or rape.

When one of the men left for cigarets, Patton fled across a cornfield to a farm house and called police, he said. Left alone, the girl also ran to the house, she said.

Told that one of the men was referred to as "Bud" several times by another of the trio, deputies went looking for the older Alverson brother. Arrested about an hour after the alleged incident, he had a bloody knife and one that had been taken from Patton, weaver said.

ARRESTED AT THE SAME time but released Monday as a material witness was William Neadus Hill, 28, also of Hazel Green, about 15 miles north of Huntsville. A fourth man who reportedly was with the three men before the assaults occurred, was released after questioning, Weaver said.

Both Patton and the girl were treated at Huntsville Hospital.

Rape Charged To Brothers

Pair Are Jailed At Huntsville

HUNTSVILLE, June 27 (AP)—Two white brothers were charged with rape today in a double assault on a teen-aged Negro girl and a knife attack on her escort.

The attack occurred on a lonely road where the Negro couple was parked in a car near here last night.

Circuit Solicitor Macon L. Weaver identified the girl as Melvina Rogers, 18, of Huntsville.

Weaver said he had filed rape charges against William (Bud) Alverson, 26, and his brother, Bobby Alverson, 23.

William, arrested last night shortly after the attack, also was charged with assault with a deadly weapon. Bobby was arrested today.

Weaver said he would release another man held overnight, William Neadus Hill, 28. He said he understood Hill was at the scene of the rape but did not take part.

A fourth man, Eliza Bates, 18, signed a statement saying he was at the scene when the attack started but ran away, Weaver said.

All four of the white men are residents of the nearby Hazel Green community.

Weaver said the girl and her escort, Gilbert Patton, 18, of the nearby Moore's Hill community, told him they were parked in Patton's car on a little-used road when white men in a car stopped alongside them.

The white men rammed their car into the front of Patton's car, pulled him out, slashed him several times with a knife, and pulled the girl out of the car, Weaver quoted them as saying.

One man stood guard over Patton while another took the girl off the road and raped her, and then another raped her, Weaver said they told him.

Patton ducked away from his guard and ran through a field to a house for help, Weaver said, and the girl eluded the men a few moments later and ran to the house.

Weaver said William Alverson had a blood-stained knife in his possession when arrested, and that blood was on his shoes.

Patton and the girl were treated at a hospital and released.

Hold 2 In Raping Of Negro Girl

HUNTSVILLE, Ala. — (UPI) — Two white brothers are charged with raping a young Negro woman on a lovers lane near here Sunday night.

William Alverson, 26, and Bobby Alverson, 23, of the Hazel Green area were held in Madison county jail without bond. Two other men arrested in connection with the case were released, solicitor Macon Waver said.

William Alverson faced an additional charge of assault with a deadly weapon.

Gilbert Patton, 18, was slashed with a knife during the attack, the solicitor said. His girl friend was forced from the car, led down the road and forced to submit to two of the four men who stopped beside the couple's parke car.

One of the white men, Eliza Bates, reportedly tried to talk the brothers out of molesting the 18-year-old girl and fled the scene when he failed. William Neadus Hill, 28, was along but did not participate in the attack.

15-year-old found strangled to death in Marion jail cell

HAMILTON, Ala., Aug. 5—A 15-year-old boy held in Marion County Jail on attempted assault charges was found strangled to death in his cell yesterday.

Jailer Funzie McCrackin said he found Billy Gene Harbin, Winfield, face down on his cell cot at about 1 p.m. yesterday. He said Harbin apparently strangled himself by tying one end of his belt around a cell bar and the other around his neck.

MARION COUNTY Coroner James K. Jefferies ruled the death suicide after a coroner's inquest yesterday afternoon.

Marion Sheriff H. C. McCarley said the boy had been in jail the past four or five weeks. McCarley said he was trying to have the youngster admitted to a mental institution.

Authorities said the boy was arrested in connection with an attempted criminal assault on a 70-year-old woman.

McCarley said the boy had polio as a youngster. He said the boy's father, Olin E. Harbin, is somewhere in Florida. The youth had been living with relatives.

Husband, Wife Face Charge In Rape Case

BAYMINETTE (AP) — An ex-funeral home director and his wife have been indicted by the county grand jury in the alleged rape of a 16-year-old girl who was babysitting for them.

County Solicitor James Hendrix said Douglas Walker 40, and his wife, Elizabeth Foley, were released from the county jail under bonds of $5,000.

Both are charged with rape. Hendrix said they are accused of "administering some form of drink to the girl, which rendered her defenseless." He said Walker is accused of raping the Foley girl while she was helpless.

After the alleged attack the night of Aug. 27, the girl returned home and notified police.

Walker directed a mortuary in Foley until two weeks ago.

Husband, Wife Face Charge In Rape Case

BAYMINETTE (AP) — An ex-funeral home director and his wife have been indicted by the county grand jury in the alleged rape of a 16-year-old girl who was babysitting for them.

County Solicitor James Hendrix said Douglas Walker 40, and his wife, Elizabeth Foley, were released from the county jail under bonds of $5,000.

Both are charged with rape. Hendrix said they are accused of "administering some form of drink to the girl, which rendered her defenseless." He said Walker is accused of raping the Foley girl while she was helpless.

After the alleged attack the night of Aug. 27, the girl returned home and notified police.

Walker directed a mortuary in Foley until two weeks ago.

Cutoff trio held on girl's complaint

BESSEMER, Ala., Nov. 21—Three white men were jailed by sheriff's deputies here Sunday night on charges of assault with intent to rape a 16-year-old girl.

Deputies J. F. Walton and Kyser Stewart said the girl told them that the three, Tommy Yarbrough, Gary W. Parr and James A. Vines, drove her to a road off the Birmingport rd, where they struck her on the face and attempted to rape her.

She said she escaped and ran to the highway, where she was picked up by a couple who took her to the Ensley police station. Ensley police notified Cutoff sheriff's deputies.

Investigator Dan Jordan questioned the three men this morning.

At Decatur—

City Men Are Facing Rape Count

DECATUR, Nov. 10—Two Birmingham men have been indicted on rape charges and a Falkville man for first degree murder by the Morgan County Grand Jury.

James B. McWhorter, 35, and Alvaro J. Peters, 23, both of Birmingham, are charged wth raping a 21-year-old Decatur woman at her apartment Aug. 25.

They have been held in the county jail here without bond since surrendering shortly after the girl made her charges in August.

Jimmy Brannon, 23, of Falkville, is accused of slaying B. W. Powell, 69, at Powell's home near Falkville July 30.

Prisoners indicted were arraigned before Circuit Judge Jimmie Bloodworth this afternoon.

The grand jury returned 68 true bills yesterday.

Other indictments charging grand larceny and receiving and concealing stolen property were returned against Richard Kyker, William H. Kent and Cecil Carter, accused of taking more than $1400 from 82-year-old Ed Pruitt Oct. 4. They originally had been charged with robbery. All three remain in the county jail.

9661

Bible Seller Seized at Scene

N. Y. Herald-Tribune

Co-Ed, 19, Is Raped, Slain in Los Angeles

N.Y. N.Y.

Wed. 7/13/60

HOLLYWOOD, July 12 (UPI).—A nineteen-year-old co-ed whose screen-writer father wrote "Act of Murder" was raped and murdered by a Bible salesman early today on the Los Angeles City College campus.

The near-nude body of Nina T. Thoeren, strangled with her red Capri pants, was found at a campus construction project where ex-convict Raymond W. Clemmons, thirty-six, told police he accosted her as she walked home at 1:30 a. m. The victim's head was propped on the foot of a stairway with her sweater and underclothing disarranged. He rschool books were scattered near by.

Police, called by residents who heard screaming, arrived in time to arrest Clemmons, a "two-time" loser paroled by California authorities in 1958 following a previous conviction for rape. Officers said he was just stepping into his car.

Says She Accepted Ride

Clemmons readily admitted the slaying, police said, claiming the girl, daughter of the late screenwriter Robert Thoeren, accepted his offer of a ride when he saw her walking along a dimly lit street from her job at a bookstore.

"I made passes at her," Clemmons sold detectives. "She said she was going to get out and leave and she started walking away from the car."

The suspect said he caught her and began strangling her, officers related, and "then I dragged her about twenty feet off the sidewalk . . ."

"I warned her many times not to walk home alone," the girl's landlord, Mrs. Morris Kronmal, seventy, said. "She usually had some one with her."

The landlady added the victim's mother, an artist, lives in Paris. Her father died last year.

Police took Clemmons back to the scene after arresting and questioning him, and he pointed toward the spot of the slaying but refused to get out of the car.

He told officers: "I just have to tell you everything." He related that as he drove along with Miss Thoeren they joked about whether he was the "bouncing ball" killer who recently has murdered and raped seven Los Angeles area women.

"I told her, 'Sure I'm the bouncing ball killer. Look in the glove compartment, the ball is in there."

Clemmons said that after he made improper advances the girl warned: "If you touch me I'll put you away for life."

Herald Tribune—UPI

Nina T. Thoeren

Friends said Miss Thoeren had shunned serious romantic attachments at school in favor of study. She was a science major and was described by teachers as one of the most brilliant students they had.

Police said Clemmons had a long criminal record, including rape, assault, burglary and kidnaping. He is not the "bouncing ball" slayer, they said.

Negro Murders Cop, Nabbed After Chase

Jackson Daily News

Jackson, Miss.

STOCKTON, Calif. (AP)—A young would-be cop killed a policeman who arrested him for statutory rape Friday. Then, after a running two-hour gun battle that covered 40 miles, the killer held a young mother and her child captive before he surrendered meekly when threatened with tear gas.

The wild chase sped from Stockton to Modesto along busy U. S. Highway 99.

Returned here from Modesto Friday night and booked on first degree murder charge was Elbert Carter, 23, son of a Negro pastor.

Young Carter, who recently qualified for the Stockton poilce force, was charged with slaying officer George Woehrle, 44, with the policeman's gun.

Carter told police he became enraged when Woehrle came to his home and arrested him on a statutory rape warrant, signed by the mother of a 16-year-old girl who became a mother this week.

Carter signed a statement that he disarmed Woehrle, seized his car keys and forced him to get into his police station wagon.

As they drove south out of Stockton, Carter said, he and Woehrle fought for the gun. A little while later, Woehrle's body, shot twice in the back, was rolled out of the car.

9662

On Terror Spree Since Tuesday

Conn. Convict-Rapist Is Captured

Special to the Herald Tribune

DANBURY, Conn., Mar. 12.—A twenty-one-year-old escapee from Cheshire State Reformatory, who had been hunted since Tuesday in Fairfield County, Conn., and adjoining Westchester County, N. Y., was shot and captured early this afternoon by a State Trooper after a wild, eight-mile, seventy-five-mile-an-hour chase from Ridgefield to Danbury.

The convict, Louis Cofone, of Darien, had caused tension in the area since Tuesday when he escaped from a guard in Greenwich, raped a domestic there and stole a car from the Greenwich High School parking lot.

Residents in the suburban areas where Cofone's crime spree took place were described as having gone through a "reign of terror."

False reports that the convict was getting closer to this or that community led homeowners to keep their outdoor lights on through the night.

Residents who hadn't locked their doors in years were looking for keys, and families without a man in the house were invited to spend the night with friends. Those who had weapons kept them handy.

Trooper Alan Williamson, of the Ridgefield Barracks, finally closed in on Cofone when the latter, driving a stolen 1953 Mercury, hit a roadside dirt bank on Route 7 near the Danbury Fair Grounds. Cofone leaped out of the car and ran along the road.

"I called to him to stop," said the Trooper. "But he yelled for me to stay back or he'd shoot me. He had his right hand in his pocket." (Daily radio broadcasts warning of Cofone's presence in the area said he had a gun.)

Just then Howard Green, a Danbury advertising salesman, drove by.

"Stop that car or I'll blow your head off," shouted Cofone. Mr. Green ducked, stepped on the gas and sped by.

Trooper Williamson then fired two warning shots and dropped Cofone with a third shot. At Danbury Hospital, where the youth was taken and is now under heavy guard, Cofone's injuries were said not to be critical. In his pockets were found a pair of pincers and a pair of sunglasses but no gun.

Cofone had been reported this morning in Port Chester, N. Y. There, police said, he attempted to rape Mrs. Mary Schettino, of 71 Valley Terrace, whom he threatened with a paring knife. Later, he stole a car in Port Chester and abandoned it a short time later in Greenwich, which is just across the Byram River from Port Chester. In Greenwich, police said, he stole another car and apparently he was riding in this when Trooper Williamson saw him on Route 35 in Ridgefield and, after noting the license number, started to chase him.

Police said the domestic raped in Greenwich was twenty years old. When she opened the door of the apartment where she worked, police said, Cofone forced his way in and attacked her.

Police reported that Cofone had been sent to Cheshire in 1958 for an indefinite term on conviction of aggravated assault with intent to rape in New Canaan.

Cofone had driven to Greenwich Tuesday with an armed reformatory guard to deliver waste collectors' license plates made at the reformatory to the Greenwich Health Department. The guard, George Greenwood, left Cofone alone in the automobile while he went into the Health Department. Cofone, who was a trustee at the reformatory and unmanacled, took off.

27h(2) 1960 D.C.

9663

Two Other Men Being Sought

Police Arrest and Charge Suspect In Alley Rape-Murder of D. C. Woman

The Washington Post - p. 1
27th (2)
Nov 3 1960
Washington Post

A short, jaunty and garrulous man who claims he's had a dozen heart attacks was charged yesterday with the murder of Corinne Sullivan, 50, of 4019 9th st. ne., found raped and beaten to death in a N. Capitol st. alley last Thursday morning.

Police are searching for two other men believed involved in the murder.

The suspect, Robert J. Crouch, 38, listed at 1345 Irving st. nw., denied the charge of first-degree murder.

Appearing before United States Commissioner James F. Splain, the five-foot suspect announced calmly:

"I've got a blood clot in my leg and I've had 12 heart attacks and I've got to get to a hospital in a few minutes or I'll die."

Commissioner Splain's answer was to order Crouch held without bond for a hearing Nov. 8.

Crouch, wearing a jacket, plaid shirt and khaki pants too long for him, was asked whether two weeks would be sufficient time to find a lawyer.

"Sure," he said, "it'll give me time to get a shave, get cleaned up and talk to my lawyer."

The handcuffed Crouch, chatting amiably, wanted to know if his pictures would be in the newspapers.

Police said he told them he was with Mrs. Sullivan last Wednesday night and had given several versions of what happened. One was that he blacked out after being intimate with her. Another was that two men chased him away fro mher in the alley behind 1214 N. Capitol st., where the body was found. The third was that he had acted as a lookout while two other men were with her in the alley.

John G. Kuhn, 69, of 16 New York ave. nw., the rear of which looks over the alley, has told police he saw what appeared to be a man acting as a lookout that night. He later saw two men carrying a body and one man walking with them, he said.

9664

4 Policemen Are Charged With Rape

The Washington Post, Wash., D.C., Dec. 3-2-60, p. B1

Four Ninth Precinct policemen were charged yesterday with rape of a 31-year-old domestic.

Pvts. Bobbie B. Campbell, 30, Owen W. Cunningham, 30, Graham B. Pennington, 24, and Raymond F. Vernon Jr., 30, were arraigned in Municipal Court. The case was continued a week by Judge Edward A. Beard on the request of Assistant United States Attorney Luke C. Moore.

The four policemen, who have denied ever seeing the woman before she brought the complaint against them early Sunday, were freed on $1000 bond each.

Presentation of the case to a Federal jury began immediately after arraignment. The jury will be asked to decide whether the rape charges should be pressed.

The four policemen were on scout car duty about 3 a. m. Sunday near Spingarn and Phelps high schools, where the woman said she submitted to four men in two scout cars. She said the first pair ordered away the escort with whom she was sitting in a parked car near the schools.

Cunningham is represented by attorney Paul H. Weinstein. Kenneth D. Wood, former chief prosecutor in Municipal Court, represents the other three policemen.

Man Freed On Bond in Past Rape Case

The Washington Post, Washington, D.C., Dec. 3-2-60, p. B1

William H. Smith, 27, who is under indictment along with four Metropolitan police on charges of raping a 31-year-old woman, was released yesterday after spending the night in jail without bond.

United States Commissioner James F. Splain set bond at $1000 upon the Government's recommendation that it be set the same as that granted the policemen. All five men face arraignment Friday in District Court.

Smith, whose indictment surprised Government prosecutors because only the policemen were originally charged, was arrested Monday after court hours. He was held overnight without bond because only a judge or commissioner can set bond in cases carrying a possible death penalty.

United States Attorney Oliver Gasch said he would not seek an increased bond for any defendant.

Smith, a laborer listed at 4731 Benning rd. ne., and the policemen have denied the charges. The officers are Ninth Precinct Pvts. Bobbie B. Campbell, 30; Owen W. Cunningham, 30; Graham B. Pennington, 24, and Raymond F. Vernon, Jr., 30.

Woman Closely Questioned on Police Rape

The Evening Star, Washington, D.C., Dec. 3-2-60, p. A-6

Two witnesses have testified that a distraught woman told them one night last February she had been raped by four Washington policemen.

The 31-year-old woman was cross-examined at length yesterday, the second day of the District Court trial of the four officers on charges of rape and sodomy.

The woman is colored and the officers are white. The courtroom was packed with spectators throughout the day and at least 50 more stood outside.

Leon Thomas of 2107 I street N.E. said the woman ran in front of his car, crying and pleading, "Don't leave me" as he was nearing his home. He testified he took her to a cab after she told him she had been raped but did not want to report it to police.

Hailed Police Car

Sidney G. Watts of the 100 block of T street N.E., a Howard University student who drives a cab, testified the woman was hysterical. After she told about the alleged attacks, he said, he hailed a passing police car.

Detective Lawrence F. Wallace, testified he promptly took her to the ninth precinct but said she appeared only a little upset. An investigation later led to the charges against the officers and their suspension from duty at the ninth precinct.

The woman stood by her charges under cross-examination by the defense attorney, Kenneth E. Wood. However, Mr. Wood established that she was unclear about where she said the officers had taken her, although it was in a neighborhood she had lived.

The woman admitted that she had sought psychitric help a year ago.

Doctor to Testify

The woman has charged that the officers performed indecent acts and raped her in the vicinity of some public schools in the northeast section of the District. The Government is expected to conclude its case tomorrow with testimony by a physician who examined the woman after the alleged attacks and by William H. Smith, 27.

Smith, according to the woman's testimony, was sexually assaulting her in his parked car when two of the four accused officers aimed a flashlight into the car. The woman testified Smith was ordered to drive away and that she was forced to enter the officers' scout car. Smith also has been indicted and is awaiting trial.

The defendants are Metropolitan Police Pvts. Bobbie R. Campbell, 30; Owen W. Cunningham, 30; Graham B. Pennington, 24, and Raymond F. Vernon, Jr., 30.

4 Policemen Ordered Acquitted, Rape Charges Held Inadequate

The Washington Post, Wash., D.C., Dec. 5-20-60

By John P. MacKenzie
Staff Reporter

District Court Judge George L. Hart Jr. directed a verdict of acquittal yesterday in the trial of four Metropolitan policemen accused of sodomy and rape of a 31-year-old domestic.

The ruling came at the close of the Government's case against the officers on the motion of attorneys Kenneth D. Wood and Paul D. Weinstein. The judge ruled that the prosecution had failed to establish sufficient evidence for the jury to consider the case.

Shortly after the verdict, however, police trial board action was ordered for Pvts. Bobbie Campbell, 30; Owen Cunningham, 30; Graham B. Pennington, 24, and Raymond F. Vernon Jr., 30.

Woman's Testimony

The woman testified she was attacked five times early Feb. 28, first by William H. Smith, 27, her escort, in his parked car, then by each of the four policemen. She said she offered no resistance because she was unprotected on a dark street in Northeast Washington and feared bodily harm.

Assistant United States Attorney Arthur J. McLaughlin conceded that there was no evidence of force or threats of force. But he said the attacks were made by "armed men."

Judge Hart painstakingly told a packed courtroom his reasons for not letting the case go to the jury.

"I think we should keep in mind," he began, "that this court is not sitting as a police trial board to determine the fitness of these men to be on the police force."

Instead the charges were volting crimes on the statute sodomy, "one of the most revolting books," and rape, "one of the most serious—carrying the death penalty," the judge said.

Credibility, Character

Judge Hart said the credibility and "charatcer of the complaining witness" must be weighed. By her own admission she sought psychiatric help a year ago, was "living in adultry" and had been drinking heavily the night of the incident, he said.

The woman's sodomy charge must be corroborated under the "strict quantum of proof" required by the United States Court of Appeals, Judge Hart said.

Both the woman and Smith testified that two policemen accosted them and ordered Smith to drive off, leaving no eyewitnesses to confirm or refute her charges.

But Judge Hart said the woman talked to five persons, complaining of rape, before adding the sodomy charge in a complaint to a police captain.

The rape charge, Judge Hart said, required the prosecution to prove the victim was in substantial fear of "death or severe bodily harm."

Coercion Question

The woman's testimony that policemen threatened to jail her "sounds more like a bribe" than coercion, Judge Hart said.

United States Attorney Oliver Gasch said the Government would ask District Court today to dismiss the charge against Smith, who was indicted for rape along with the policemen.

Deputy Police Chief Loraine T. Johnson said the policemen will remain under suspension pending the outcome of trial board proceedings.

Navy Widow Raped in Home

The Evening Star, Washington, D.C., Mon., 8-15-60, p. A-1

Intruder Robs Her In Northwest

The 70-year-old widow of a Navy admiral early today was raped and robbed in her apartment in a fashionable section of Northwest Washington, police reported.

The intruder, described only as a huge man with big hands and a foreign accent, then gagged the victim and tied her to a chair with strips torn from her pillowcase.

The woman, who lives alone in a sixth-floor apartment, told Sex Squad Detective Robert W. Haun she awoke in her bed about 4 a.m. when the intruder started choking her.

After raping the widow, the intruder tore a pillowcase into strips and gagged her, she said. Then he dragged her to a straight-backed wooden chair, tied her hands and bound her to the chair with a sheet, police were told.

Detective Sergt. Haun said the woman told him the rapist then whispered, "Where is your money?" She said she nodded toward a night stand where her purse was lying. The intruder took one of the purses, containing $20 and personal papers, and left by way of the front door.

The woman said she was never able to get a good look at her attacker because the only light was from a dim flashlight he carried.

The woman was taken to District General Hospital for examination and was treated for neck bruises after she freed herself from the chair and called police.

Routed From Girls' Bedroom

Police Capture Suspected Rapist After Firing 10 Shots in Wild Chase

Police fired 10 shots at a suspected rapist early yesterday during a chase through dark alleys and back yards in the area of 16th and S sts. nw.

The man, identified as Gregory E. Abram, 25, of no fixed address, was charged with rape, asault with attempt to rape and housebreaking, police said.

Detective Chief Edgar E. Scott said a man entered the bedroom of two young Central Intelligence Agency employes in the area and raped one, threatening to kill the girls unless they kept quiet. The second girl, Scott said, escaped from the bedroom and called police from another apartment.

When two carloads of detectives arrived on the scene, one officer, Det. Clarence F. Knotts of the General Assignment Squad, spotted a man in an alley in the 1700 block of 15th st. nw. The man saw him at the same time and ran.

Knotts emptied his service revolver at the suspect as he chased him over a 10-foot wire mesh fence and through alleys. Det. George R. Wilson of the Robbery Squad also fired four shots, without effect.

As the chase centered around the Scottish Rite Masonic Temple at 1733 16th st nw., the five detectives on the scene hesitated to fire any more because it was difficult to aim in the darkness.

The suspect finaly jumped into a deep window well in the Temple and was trapped. He complained that he was shot but it was seen later that he had merely cut his hand climbing a fence.

Scott said Abram is a New Yorker who came to the District about three weeks ago.

4 officers, 1 civilian indicted

WASHINGTON

A District grand jury Monday charged four policemen with rape and sodomy and a fifth man with rape, in indictments growing out of the complaint of a 31-year-old woman.

Accused in two separate counts were police Pvts. Bobbie R. Campbell, 30, 2600 block Afton St., Hilcrest Heights, Md.; Owen W. Gunningham, 30, 2400 block Iverson St., SE; Raymond F. Verson Jr., 30, 700 block 85th Av., Hyattsville, Md. and Graham B. Pennington, 24, 3900 block S St., SE. The officers are white, are attached to the Ninth precinct.

Charged in one count of rape is William H. Smith, 27, 4700 block Alabama Ave., SE, who was identified by the woman as her companion prior to the incident in which the four officers are accused.

The grand jury alleges that the four policemen "committed a certain unnatural and perverted sexual practice" with the woman on Feb. 28 and also had "carnal knowledge" of her "forcibly and against her will."

The civilian, Smith, is also accused in the true bill of having carnal knowledge of the woman "against her will."

All five defendants will be arraigned Friday in U.S. District Court.

The woman, mother of four children, told police she had been to the home of a friend attending a birthday party in the 2000 Eve St., NE.

She said she became ill after drinking and Smith, the brother - in - law of the hostess, offered to give her a ride home at about 2:45 a.m.

* * *

ENROUTE, Smith parked the car near 24th and Benning Rd., NE, and tore her under garment, the woman alleged.

The alleged act was interrupted by the appearance of two officers who shone a flash light in the car, the woman reported.

She said the officers took $2 from Smith saying it was for her cab fare and ordered Smith to leave.

The woman stated that the two officers had perverted and normal relations with her in their cruiser, then transported her to another scout car which had arrived on the scene where she was ordered to perform similar acts on two more officers.

She said they left to bring other policemen to the area but she ran screaming into the road where a passing motorist, Leon Thomas, 2100 block Eye St., NE, picked her up.

Mr. Thomas said he talked to the woman, then hailed a cab driven by Sidney Watt, unit block T St., NE. Watt was taking the woman to the precinct station house when he met a cruiser which he stopped.

The four officers were suspended immediately and were arrested on Mar. 1.

All four policemen admitted being in the area but denied seeing the woman and her companion. Smith earlier confirmed that he was ordered to leave the scene by police officers.

The woman identified two of the policemen at a lineup at the station house.

Record Player Betrays Suspect in Rape Case

A man arrested at his home early yesterday as a suspect in the rape of a 25-year-old Southeast woman was questioned for four hours by detectives seeking the assailant in four other rape cases, one dating back to February, 1959.

Police charged Gerald A. Frost, 23, of 3196 Stanton rd. se., with rape in an attack on a woman in the bedroom of her home in the 1800 block of Stanton ter. se. on June 30.

They said the woman awoke to find a man standing over her with a knife. He threatened to kill her if she screamed, they said, and ordered her to turn her face away so that she could not get a good look at his features.

After he had raped the woman, police said, the intruder dismantled her telephone and left the house with her record player and $3 from her purse.

Police were led to Frost, they said, through recovery of the record player from a second-hand dealer. They said Frost told them he had bought the record player for 9.

Frost was arraigned on the charge before United States Commissioner James F. Splain and ordered held without bond for a further hearing Sept. 13.

Ordinarily he would then go to the District aJil where police would not be able to question him without his permission.

However, Capt. John L. Sullivan of the Sex Squad, received permission from District Court Judge Leonard P. Walsh to take Frost back to headquarters for four more hours of questioning.

Sullivan said victims of attacks were being brought to headquarters to look at the suspect and that Frost was being given a polygraph (lie-detector) examination.

He said Frost was not a suspect in the rape early Monday of the widow of a Navy officer in her Northwest Washington apartment.

9665

ape Attempt Suspect nters Insanity Plea

Pensacola Post-Herald

DE FUNIAK SPRINGS, Fla., ... 14 (AP)—An electrician pleaded ... by reason of insanity today ... charges of kidnaping, without ... false imprisonment, as... with intent to commit rape ... assault with intent to commit ...

... Roy Hobbs, 32-year-old ... of four, entered the pleas ... indictments returned yester... by the Walton County Grand ...

... Judge D. Stuart Gillis ... the pleas under advisement. ... Atty. Graham Campbell said ... penalty possible would ... years imprisonment.

..., of Fort Walton Beach, ... did not know what he was ... at the time he forced a 16-... girl, her 11-year-old broth... her date to accompany him ... fishing skiff last Oct. 11.

Sheriff Curtis Miller said Hobbs ... the accounts ... was fishing on Choctaw... Bay when his rented skiff ... out of gas. He went to a ... on Choctaw Beach to try to ... some gas. The 11-year-old boy ... the only person home.

While the boy was showing him ... the gas was, his sister and ... date, S. Sgt. Harold L. Hart..., 26, of Eglin Air Force Base, ... up.

... slugged the airman on ... neck and stunned him. When ... man got up, Hobbs had a gun ... forced the three to walk to ... beach with him.

He forced the girl to disrobe ... twice tried unsuccessfully to ... her while holding the gun on ... brother and Hartman. He ... forced them into the 14-foot ... and during two hours in the ... he once again tried to rape ... girl and also tried to force ... to commit an unnatural act.

Hobbs returned the three to the ...

witness who apparently mistook the attack for a noisy spree.

A peace justice's warrant accused James A. Ballard, 22, of Merritt's Island, of the assault. The victim, who may not be identified under Florida law, was found this morning beaten and in shock near an approach to the beach and physicians who examined her at a hospital said she had been raped. Her condition was termed satisfactory.

State attorney's investigator Jack Lynaday said Ballard had been identified by five persons as the man who left a restaurant here with the girl for the beach.

Lynady said the victim told him that while she was screaming under attack in the car a man, evidently a resident of the area, came up to the car, protested about the noise and left. The investigator said the man is being sought as a witness.

Pinellas Duo Held in Rape Of Girl, 10

The Florida Times-Union Jacksonville, Fla.

CLEARWATER, April 5 (AP)—Two St. Petersburg men remained in county jail without bond today while awaiting a hearing on charges of raping a 10-year-old girl four times.

Magistrate Robert McDermott filed the charges against Ralph Conley, 21, and Kenneth Suggs, 19, after questioning the girl and her mother.

The victim said she was asleep at a home near St. Petersburg early Saturday morning when a man entered and forced her to accompany him to a car. She said the man and a companion drove to a wooded area and took turns raping her.

She said the men later drove to a spot near the house and released her after warning her to tell no one of the rape.

Sheriff Don Genung said Conley and Suggs signed statements which supported much of the victim's story.

Deputies said the victim's mother and a boy friend were drinking at a bar when the rape occurred. They said the mother and her three children had been living at the boy friend's home.

Juvenile authorities placed the victim's brother and sister in foster care. The girl was hospitalized for treatment of injuries.

Rapist Hunt Launched by Tampa Cops

Jacksonville, Fla. Times-Union

TAMPA, July 8 (AP) — Police are intensifying their search for a knife-wielding man who raped a 49-year-old grandmother after attempting an assault on a teen-age girl less than two hours earlier.

The attacks occurred 10 blocks apart. Police said they had evidence which indicated they were committed by the same person.

The older woman told police she awoke about 3 a.m. and saw the outline of a man in her living room. She said he threatened her with an eight-inch butcher knife and assaulted her.

The intruder told the woman he would kill her if she reported the incident to police.

About 1½ hours earlier, an 18-year-old girl was assaulted in the bedroom of a home she was visiting. She told police the man stuffed an oily rag in her mouth and slammed a pillow over her face.

She fought the man off and he fled. The girl cut her wrist on an unguarded fan as she attempted to get away from her attacker.

Police described the attacker as about 35 years old, 5 feet 8 inches tall and weighing about 170 pounds.

Man Faces Rape Count At Daytona

The Florida Times-Union

DAYTONA BEACH, May 28 (AP). A Brevard County man was charged today with raping a 25-year-old girl who had been induced to accompany him to the beach. Police are looking for a

Pensioner Was Abused

The Miami Herald Miami, Fla.

Woman of 77 Killed in Hotel

Fri. 9-16-60

A 77-year-old woman pensioner was sexually abused and slain in her downtown hotel room, it was disclosed Thursday.

1-B

Grace Hill Conrick was found bloody and half-dressed by a Shelnor Hotel maid around noon Wednesday. A cloth covered her face.

It appeared at first to be natural death caused by hemorrhage, but an autopsy showed the small woman had a broken larynx, broken ribs, and had been sexually molested.

Police officers questioned hotel employes, and put out a search order for a hotel guest who checked out at about the time the woman is believed to have died.

The woman was in the Shelnor, ironically, only because the hotel where she usually stayed was being renovated.

The maid checked her room after other hotel employes began to wonder why they hadn't seen her.

Police estimate she died within 24 hours of the time she was found Wednesday.

Ethel Little, a 53-year-old legal secretary, was tormented, tortured and killed last December in the cottage where she lived alone.

The Conrick slaying doesn't match the Little butchery, but it is also a sex case.

27h(2) 1960 GEORGIA

9666

White Store Operator To Face Grand Jury In Attack Upon Girl

Atlanta Daily World Atlanta Ga.

27h(2) 90

By JOHN BRITTON

A 47-year-old Atlanta man was held under $1,000 bond to grand jury action Monday on charges that he attempted to rape a 10-year-old Negro girl Saturday evening in the back room of a store he operated on Johnson Road.

Dis. 9-20-60

Milton Kirby, of a Mt. Paran Road, N. W., address, denied the attempt rape charge and said he didn't know the young girl was in the store until police arrived at the scene on complaint of area residents.

P. 1 B. 5

Recorders Court Judge Luke Arnold presided over the arraignment session Monday afternoon sent Kirby over to the county grand jury for further investigation of attempt rape charges. Bond was set at $1,000.

In doing so, Judge Arnold turned down homicide detectives' recommendation that Kirby be bound over on the same charge, but under a lesser bond. Detective C. J. Strickland asked that the defendant be held in lieu of a $5,000 bond.

Kirby was pulled from the clutches of portions of an angry crowd that had developed in the 600 block of Johnson Road, N. W., shortly after word passed that the white man held the small Negro girl inside the store with him.

OUT OF STORE

The young girl, when police located her in the store, said Kirby had pushed her down to the floor in back of the store, partially disrobed himself and then "did something nasty."

Patrolman Lovett Goss was the first officer on the scene. He said he encountered an angry crowd that he estimated to be about 200 strong surrounding the small, used clothing store building.

Goss said he peered into a side window and observed Kirby as he hurriedly made adjustments to his clothing. Goss said he then went to the front door of the business establishment and was met by Kirby who opened the door for the officer.

During the ensuing investigation, Goss revealed Monday, Goss had to temporarily leave the white man to radio police headquarters for help because of the milling, hostile crowd that had developed on the scene.

Meanwhile, some unidentified members of the throng pressed inside the building, caught Kirby and reportedly administered some forms of punishment to him on the scene.

Kirby's attorney, Russell Turner, displayed to the judge the scratches and scars around Kirby's face and neck and insisted that Goss, working alone Saturday and the only patrolman on the scene, could have controlled the 200 angry persons.

27h(2)

Turner insisted that Goss, with a service revolver, could have stood off the press of 200-odd people, but the patrolman said he did the only thing he could and asserted that he finally was able to froce the crowd back outside of the store before any help arrived at all.

Goss said he questioned Kirby on the scene regarding why the man was on his knees, attempting to rearrange his clothing. Goss said the man replied that "he may have been saying his prayers."

Goss testified that Kirby denied that anyone was in the store beside him, but the officer said he later investigated and found the little girl farther back in the store, sobbing and crying of Kirby's alleged attempt to rape her.

PAIR OF SHOES

Kirby said the girl came to his store looking for a pair of shoes. He said he closed down the store, but did not know the girl was still inside.

Kirby said he knew the little girl, her brother and her mother, but the mother was in court Monday and denied that the white man knew any of her family. She said she had just moved in the area earlier last week.

Hearing that testimony, Kirby retracted his statement and said that he "may have been mistaken." He added that he sometimes gets the children "mixed up" because so many work at his store from time to time.

The mother said Kirby was "lying" if he contended that he knew her.

Attorney Turner then interjected and asked the judge to reprimand the woman for calling his client a liar. Turner contended that accusing a defendant of lying in a courtroom constitutes contempt of court.

Judge Arnold upheld Turner's objection to the term and asked the mother to refrain from using the word again.

Kirby had been arrested Saturday and placed under a $5,000 bond on suspicion of attempt rape on a minor child. He was bound over on the same charge by Judge Arnold, but the bond was reduced to $1,000.

9667

Rapist Taken To Columbus In New Case

Atlanta Constitution

COLUMBUS, Ga. — A young Atlanta [illegible] raping [illegible] shop here [illegible] to Columbus [illegible]. John Land said he received an order from the State Board of Corrections to have Chandler Jack Martin returned here.

Martin, sentenced in Atlanta this month to 29 years in prison on a rape conviction, is charged with the Oct. 13 assault at the Butterfly Beauty Shop here.

Land said indictments charging Martin with rape and robbery probably will be presented to the Muscogee County grand jury when it convenes Monday. If indictments are presented and Martin is held as charged, then his trial likely will be the third week of February.

Land hinted he would seek the death penalty if the case comes to trial.

Rape and robbery, are capital crimes which carry maximum punishment of death in the electric chair.

Martin is alleged to be the young man who entered the beauty shop here and forced three women inside to the rear of the shop where he raped one of them.

Last week Martin was identified in a lineup by the three women he held at knife point while committing the crimes.

Judge Will Not Discuss Charges Against White

Pittsburgh Courier

MACON, Ga. — Resigned Bibb County Juvenile Court Judge Benning M. Grice last week refused to discuss the case against Charles Johnson, white superintendent of the Bibb County Detention Home, of improper advances toward young girls from the Georgia Training School for Negro Girls and having had sexual relations with them.

The charges were among several aired in a recent report to Governor Ernest Vandiver after an investigation of conditions at the school by a state agency—the Attorney General's office.

"I haven't seen that report," Judge Grice told The Courier by telephone from Atlanta, "and I just won't make any statement until I see that report—if I make any statement then."

■

JUDGE GRICE, who resigned effective Dec. 31, also refused to answer questions dealing with affidavits which might have been turned over to him setting forth the accusations against Mr. Johnson.

The former jurist also declined to say whether he was turning over the matter to his successor, Judge Durwood M. Mercer, who took office as of Jan. 1. Judge Grice did say that Judge Mercer was assuming the post and everything that went with it, and that it would be up to him to decide what to do about anything.

The report to Governor Vandiver said, in part: "Judge Grice stated he did not believe these allegations against Mr. Johnson but would look into the matter if he had some affidavits from the girls alleging these acts. Grice requested any information in this regard be given to him after the completion of the investigation being conducted by this division."

The Courier has been informed that some affidavits have been given to Judge Grice. He declined to confirm or deny this. It was stated that Judge Grice resigned to have more time to look after his law practice and other affairs.

Rape-Bandit Identified In Lineup

Atlanta Constitution

A youth already under sentence on charges growing out of the assault and beating of an Atlanta woman Friday was identified in a similar case in Columbus, police said.

Three witnesses to a rape and robbery in Columbus positively identified Chandler Jack Martin, 20, in a police lineup, officers said.

ADMITS INCIDENT

Sgt. J. E. Helms said Martin who was released on furlough in February, 1959, also admitted the Columbus incident.

Witnesses were accompanied to Atlanta by Capt. C. R. Adair and Lt. B. F. McDuffy of the Columbus Police Department.

Officers said Martin was identified as the man who entered a Columbus beauty parlor Oct. 13, 1959, tied up three women, including the owner, and at knife point assaulted one.

Martin was arrested here Nov. 4 by motorcycle patrolman S. T. Hinshaw when he is reported to have attempted to abduct a 42-year-old Atlanta woman at knife point in the West End.

JUNE CASE

Helms said Martin subsequently was identified as a knife weilder who abducted another Atlanta woman June 8, 1959, assaulted her, beat her and left her for dead in a parked car near College Park.

Martin was sentenced to serve 20 years in prison on charges growing out of the June 8 case, Helms said.

At the time of his arrest in November, Martin told police that he was released from the state hospital in February after being sent there on charges growing out of stabbing a youth and assaulting a woman at Rome.

Conviction Of 2 Rapists Upheld

The Atlanta Constitution

The convictions of two white men on charges of raping a 14-year-old Negro girl were upheld by the Georgia Supreme Court Tuesday.

The high court rejected all arguments offered by the defendants, Pete Coleman, 40, and Marion Buford Hooks, 20.

GOT 3-8 YEARS

Hooks received a 3-8 year sentence by a Washington County jury for his part in the rape.

Coleman, who previously had been convicted of the murder of Miss Bertha Mehrtens and of assault with the intent to kill another 14-year-old Negro girl, was given 20 years.

In another decision, the Supreme Court reversed a Dougherty Superior Court ruling and upheld the constitutionality of a law which says the state may not be sued for damages in connection with construction of state-aid highways until construction is finished.

ALBANY SUIT

The suit was brought in Albany by L. S. McClain, Mrs. Betty Watson Free and Mrs. Martha Oakes.

They alleged that a road connecting U.S. 82 with U.S. 19 had cut off their access to the two highways.

Dougherty Superior Court held the law barring them from suing for damages to be unconstitutional, but was reversed by the Supreme Court.

Chief Justice W. H. Duckworth discussed, and Justice J. W. Hawkins in a special concurrence indicated he thought the law would be unconstitutional in certain applications.

Police Probe Attack Upon Girl In City

Atlanta Daily World

Homicide detectives Saturday continued to investigate the late Friday night assault on a 15-year-old Negro girl who was reportedly attacked by a white man whose advances she had rebuffed, police said.

The actual extent of the assault, police said they were told, was one blow administered by the white man after he had asked the girl to ride home with him and met refusal.

Patrolmen J. T. Cameron and J. W. Slate said they were called to the scene of the incident at 68 Johnson Rd., N. W., where they met a large crowd of white people who told police of the attack.

The victim, identified as Patricia Ann Cooper, 15, of 68 Old Johnson Rd., N. W., address, had left the scene when police arrived, but officers said they located the girl at the interseection of Johnson Rd., and Old Johnson Rd.

The patrolmen said they were told by the victim that she was walking on Johnson Rd., when a tall white man, driving a red and white automobile, approached her and asked "if she wanted to ride home with him."

The girl replied negatively to the query, police said they were told, and then she began to run. When she got to the front of 68 Johnson Rd., police said, the white male assailant jumped from a clump of bushes at the side of the road and struck the teenage girl.

The girl screamed and the noise brought neighbors to the outside to investigate the disturbance, Cameron said. With the appearance of the white area residents, the white male assailant fled the scene, police reported.

Cameron and Slate said the young victim told them that she could not identify the perpetrator, however. Detectives J. F. Inman and L. N. Bradley were assigned to investigate the incident further.

Girl Charges White Man Abducted Her From County

Atlanta Daily World, G.J.
Atlanta, Ga. Sun. 7/17/60

City homicide detectives Saturday were assigned to investigate a 16-year-old girl's complaint that she was spirited across the county line Friday night by a white man who attempted to rape her.

Police listed the incident as an attempt rape and kidnapping, and said the suspect was identified to them as a youthful white man wearing a plaid shirt and driving an old-model car.

The young Negro girl was interviewed at a local hospital by city detectives. The officers said the girl told them she was standing at Ponce de Leon Ave. and Durant Place, N.E., when the white man drove up and asked for directions.

The girl said she couldn't understand what the youth said and moved closer to the car. She said he jerked her into the car and then drove off.

Once in the auto, police said they were told, the white man asked the young girl to "be nice to him."

She said he then drove her to what police believed was Piedmont Park. He then drove across the Fulton County line into DeKalb County and stopped on Briarcliff Rd., police said the girl told them.

At the later location, police said, the girl leaped from the man's car and caused injuries to her elbow and hip in her haste to get away from the man.

City Vice Detectives M. H. Medert and M. G. Redding said the girl told them that the only force used by the white suspect was when he jerked her arm and pulled her into his car.

Police said they had no suspects in connection with the Friday night incident. City homicide detectives W. K. Perry and C. J. Strickland were checking out the girl's complaint from the Atlanta end Saturday.

DeKalb County Detective B. F. Corley was working on the case in DeKalb County since it was to that department that the girl first made her complaint, police reported.

Storeman Charged In Child Attack

Atlanta Daily World
Atlanta 3, Ga
Sat. 9-24-60

A 47-year-old white Atlanta store operator was indicted by the Fulton County Grand Jury Friday charged with molesting a 10-year-old Negro girl in the back room of his store last Saturday evening.

The grand jury further stipulated that the indictment and subsequent charges against the man should be handled as a felony, thus insuring that the case will be tried in Superior Court.

The indicted man was identified as Hoyt Milton Kirby, 47, of a Sizemore Alley, N. W., address. Kirby has denied attempting to rape the little girl, but the grand jury, in effect, ordered him to stand trial on charges of molesting a minor child.

The grand jury, specifically, charged that Kirby did "unlawfully take immoral, irproper and indecent liberties with (the girl), a female child under the age of 14 years, with intent to gratify his lust, passion and sexual desires."

The indictment went into a specific description of how they believed the molesting was accomplished, based upon testimony from investigating officers and the child herself.

Kirby was virtually saved from an angry crowd, estimated to be about 200 persons strong, last Saturday by Patrolman Lovett Goss, who hapepned to be patrolling the area alone that day.

The crowd developed in front of Kirby's used clothing store Saturday evening after word got around that the white store operator held a small Negro girl inside the building.

The girl said she was passing the store when Kirby allegedly pulled her from the sidewalk, pushed her to the floor in a back room of the store.

The incident allegedly occurred inside the store which is located on Johnson Rd., near Marietta Rd.,

purchases from the Dominican Republic under its regular quota in the U. S. market. On the extra allocation of 321,857 tons, however, Dominican sellers will be required to pay a fee of two cents per pound, or $40 a ton, before shipping the sugar.

The organization of American states recently censured the Dominican government and the United States severed diplomatic relations with the Trujillo regime.

Pastor To Face Assault Count

Former Tennessee Student Accused By Two Young Joliet Women

JOLIET, Ill., Jan. 30—A man who identified himself as a minister was held in jail here under $20,000 bond Wednesday in connection with the abduction and assault of two young Joliet women.

William W. Crossman, 25, who attended Freed-Hardeman College at Henderson, Tenn., about two years where he was a mediocre student, admitted the abductions and rapes, Police Chief Joseph Trizna said. Trizna said Crossman is pastor of the Church of Christ at nearby Morris, Ill., with about 50 parishioners.

Seized At His Car

Crossman, the police chief said, was seized when he and his wife, Lucinda, 22, and their 3-month-old son returned to their car in downtown Joliet after attending a movie.

Trizna said one of the two women had furnished police a description of the car driven by her abductor and it was spotted Tuesday night. A policeman was assigned to await the driver.

Trizna said a 20-year-old woman was halted by a man with a knife as she left a suburban shopping center last Dec. 15. She told police she was forced into her car and ordered to drive into a rural area where she was raped.

On the following night, Trizna said, an 18-year-old girl was abducted at knife point by a man as she left the same shopping center. She was forced into his car and after driving into a rural area she told police she was raped.

Description Same

Police said the victim's description of the man was the same.

Trizna said both women have identified Crossman as the man who abducted and raped them. The police chief did not identify the women.

A salesman at Freed-Hardeman said Crossman's home address was listed as South Portland, Maine. Police said Crossman said he had worked for a chemical company in Chicago before moving to Morris in 1959.

3 Chicago Socialites Found Raped, Slain in Icy Cave

STARVED ROCK STATE PARK, Ill. (UPI)—The bodies of three socially prominent Chicago area women, their heads battered in and two of them apparently criminally assaulted, were found Wednesday in a desolate, icicle-encrusted cave.

One of the icicles, smeared with blood and found near a battered pair of binoculars and a broken camera in the cave at Starved Rock State Park, was regarded as a possible murder weapon.

Police said it was possible the three women, off by themselves on a midwinter vacation, might have used the icicle and other objects in a frantic, futile effort to defend themselves when they were trapped in one of the many canyons of the park.

The woman, mothers of nine children and wives of prominent Chicago business executives, apparently were trailed and murdered by two or more "sex maniacs" as they hiked through the park Monday, police said.

Their bodies appeared to have been deliberately arranged in line at the mouth of the cave in precipitous, snow-drifted Little St. Louis Canyon.

The victims, all neighbors and members of the same church in the Chicago suburb of Riverside, were:

Mrs. Frances Murphy, 47, wife of R. W. Murphy, vice president and general counsel of Borg Warner Corp. in Chicago, and mother of four children.

Mrs. Mildred Lindquist, 50, wife of Robert Lindquist, vice president of the Harris Trust and Savings bank, Chicago, and mother of two children.

Mrs. Lillian Oetting, 50, wife of George Oetting, general supervisor of the Internal Auditing department of the Illinois Bell Telephone Co., and mother of three children.

Five boys from a nearby camp for problem adolescents, members of a search party hunting the women, made the discovery. Two of the women, practically touching each other, were nude from the waist down and had apparently been assaulted, Deputy Coroner Norman Hulse said.

Hulse said the third woman, lying a few feet away, had been dragged into the cave feet first. She had not been assaulted but her face was so battered it was unrecognizable, Hulse said.

Illinois State Police Superintendent William H. Morris, in charge of the investigation, said "This has got to be a sex crime. We have no leads on anybody. There was no robbery. It's the worst crime I've seen in my 19 years as a policeman."

Two of the women's husbands, Murphy and Lindquist, were on their way to the park when the bodies were found. They remained beside the cave most of the day. Oetting was at home suffering from a heart condition.

The last known glimpse of the women was Monday afternoon, when a park employe saw them set out to walk along the woodland trails.

Murphy became alarmed Wednesday by the heavy snow that fell across Illinois. He telephoned Starved Rock to check on them.

Lodge officials went to their rooms and saw their beds had not been used. Purses of the victims were in their rooms and their station wagon was in the parking lot of the lodge.

The park is a year-round recreation center of 1,475 acres of bluffs and valleys along the Illinois River 90 miles southwest of Chicago.

GIRL BRUTALLY BEATEN, RAPED

Left Naked in Rain by Assailant

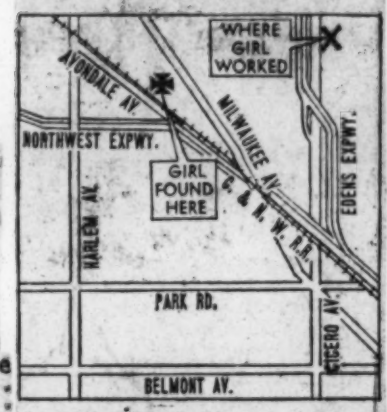
A 16 year old girl was found raped and beaten nearly to death early Saturday near a North Western railway embankment in the rear of the 5800 block of Northwest highway.

The girl's clothing had been ripped to shreds as it was torn from her body and she lay naked in the rain until sighted by a railroad train crew, which notified police.

Brick Used to Beat Her

A bloody brick found near the victim apparently had been used to bludgeon her. The left side of her face and head were beaten severely and her lips were split as tho from a blow. A bottle that had contained gin or vodka also was found nearby.

The girl was taken to Resurrection hospital, where



it was reported she was in grave condition from head wounds and loss of blood.

One of the two men sought for questioning in the beating surrendered and told police he spent the night at the home of friends and had not seen the victim. A pair of sunglasses found on the railway embankment was identified as the property of the second man.

A friend of the victim told Capt. Patrick Deeley and detectives at Jefferson Park station that the victim left her home at about 9:20 p. m. Friday with the two men after they drove up in a 1958 black Plymouth convertible.

Drove Away with Men

The beaten girl, who quit high school when she reached 16, worked part time in a restaurant. The manager told police she worked there from 3 p. m. to 6:15 p. m. Friday.

Upon leaving work the victim went to the home of her girl friend, who told police they stayed there until 9:20 when the two construction workers arrived and the 16 year old girl drove away with them.

Police said they were informed the victim, the two suspectsand another young woman and man were arrested several nights ago i nthe Schiller Woods forest preserve when forest rangers found an open can of beer in the car.

All five appeared last Thursday in Arlington Heights justice of the peace court, where the case was continued for two weeks.

PUSH SEARCH FOR YOUTH IN RAPE BEATING

Girl, 16, Remains in Critical Condition

Police pushed a search Sunday for Jerry Nemke, 17, formerly of 4562 Merrimac av., as a suspect in the bludgeoning and rape of a 16 year old girl who was found naked and unconscious early Saturday beside the North Western railway right of way in the rear of the 5800 block in Northwest highway.

Nemke, a fugitive from a state youth rehabilitation camp in La Salle county, failed to return to the camp after an Easter furlough. A pair of sunglasses, identified by acquaintances as Nemke's property, was found at the rape scene.

Report Seeing Him

Acquaintances reported seeing Nemke Saturday night in Central avenue between Montrose and Lawrence avenues, but by the time police arrived, he had disappeared.

The rape victim remained in a coma Sunday in Resurrection hospital. Because of her condition, police were unable to question her.

They had hoped, by means of photographs, to have her identify Lemke as her assailant.

Condition Critical

Physicians described the girl's condition as critical as the result of repeated blows on the head, apparently with her lips were split, and a brick found at the rape scene. One ear was nearly severed.

Seven Arrested In Rape-Slaying

CHICAGO, June 26 (AP)—A judge today ordered seven young men held without bond in the rape-slaying of Mrs. Roseann Beckman, 32. They will be arraigned on murder charges June 29.

The seven (were) rounded up after police said they received an anonymous telephone call implicating Roy McGovern, and Donald Lee Coglan, both 19. During questioning, the others were drawn into the case.

Police said Coglan has admitted striking Mrs. Beckman, the mother of four, in the climax of a round of drinking on the South Side.

Admits Sex Slaying During Brief Escape

WHEELING, Ill. (AP) — Harold Dalibozak, 13, composed and calm, looked at the shallow grave where the strangled body of Betsy Benham, 5, had been found.

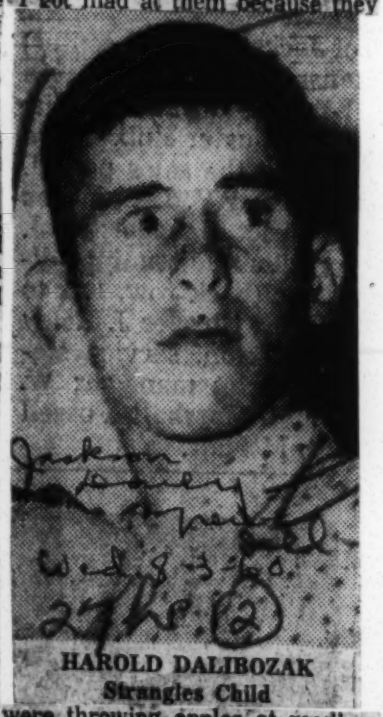
"I guess you're on to me," he told Sheriff Frank G. Sain Tuesday. "I may as well tell you how I did it."

Harold then unfolded, Sain said, an amazing story of how, during a brief escape from Wheeling police, he had come across Betsy by chance Friday evening, sexually abused and strangled her and partly buried her body in a weed-grown field near her home.

The youth, son of a German immigrant, was charged with murder.

Calmly and with what one official called "a good deal of poise," he told of meeting Betsy and some neighborhood children at play.

He shook some apples from a tree for the children, he said, but "I got mad at them because they were throwing apples at me."



HAROLD DALIBOZAK
Strangles Child

Betsy followed him into the vacant lot, he said, "and started to kick me."

Then, he said, he strangled her with his hands, muffling her screams with her panties.

A Boy Scout, one of hundreds of searchers who combed this suburb north of Chicago, stumbled across her body early Saturday.

A strange sequence of events led Harold to the Benham neighborhood Friday night.

He had run away from home July 26 and was picked up Friday afternoon by police on a theft complaint. At 5:15 p.m. police found he had escaped. He was recaptured at 7:35 p.m., two miles from Betsy's home.

Missing Child Found Dead In Illinois

WHEELING, Ill. (AP) — The body of a 5-year-old girl, missing since Friday evening was found Saturday under mud and leaves in a weed-grown ditch half a block from her home.

Sheriff Frank G. Sain said the child apparently had been slain after sexual molestation.

James Naber, 15, participating in a serach for the child, kicked at a heap of leaves and twigs in the old excavation and discovered the body.

When the body was removed after several hours of searching the scene in a weedy, woody lot some 28 miles northwest of Chicago, only a single piece of clothing—a shirt pushed up over her face—was found on it.

Lt. Daniel Dragel, head of the Chicago police crime laboratory, said the body showed indications the girl had been strangled.

The body was taken to the Cook County morgue for further examination.

The dark-haired, dark-eyed little girl was last seen playing near her home with her brothers and sisters and the children of the neighborhood. She was one of five children.

A playmate told of seeing an older boy she did not know climbing trees near the child's home about 6:30 p.m.

96069

Partly Dismembered Body of 14-Year-Old Girl Found; Twice-Convicted Felon Confesses

Fla. Times-Union, Jacksonville, Fla., Thurs. 8/18/60

BOONVILLE, Ind., Aug. 17 (AP)—The partly dismembered body of 11-year-old Avril (Honey) Terry was found in the Ohio River today about 12 miles downstream from where a twice convicted felon confessed he dumped it after abducting the girl here yesterday.

Less than a half-hour after the body was found, Emmett O. Hashfield, a 53-year-old trinket maker, appeared before a justice of the peace and was charged with first-degree murder.

Justice of the Peace Howard Bradley ordered Hashfield turned over to the Warrick County sheriff to be held without bail.

—AP Wirephoto

Avril Terry

Hashfield appeared wearing overall pants and a blue shirt. His arms bore tattoos, and he had a black eye, the result of a fight with the dead girl's father this morning.

Father Lost Temper

Police said the father, Dr. Robert H. Terry, had been permitted to question Hashfield and lost his temper during interrogation.

State police said the girl's body had been partly dismembered, and parts were found on the Indiana bank of the river about two miles east of the Owensboro, Ky., bridge. Skin divers recovered the remainder of the body from the river.

Hashfield refused to make any statements until he consulted a lawyer. He requested an attorney be appointed for him.

Earlier today, Hashfield led police to a spot upstream where he said he dumped the body of the girl yesterday.

Sgt. Wendolin Opel, state police detective, and Sheriff Robert E. Shelton said Hashfield orally admitted killing the girl.

Hashfield had been held without charge since last night, when police found him in bed in his small home at the south edge of Booneville. His chest was scratched, and his shirt was bloody.

Opel said bloodstains indicated the girl had been killed in the living room and taken out across the front porch.

Some of the clothing worn by the girl was found in the house, all bloodstained. Another of her garments was found in his car, but her shoes were missing.

In a dresser drawer police found two pet chameleons Avril had worn on her blouse when she went downtown yesterday morning to buy candles for a birthday cake for her sister, Candace, 8.

One of the chameleons was dead, a string tied around its neck. The other one was alive. The girl's parents said Avril liked to hunt for bugs and frogs in the woods.

—AP Wirephoto

Emmett Hashfield

Terry is a native of Florida and a graduate of the University of Florida, University of Miami and the University of Tennessee medical college in Memphis. The Terrys have a third daughter Robin, 17.

VICTIM — Avril Terry,

HELD — Emmett Oliver Hashfield.

Body Of Girl Found In River

Convicted Rapist Held For Murder

Knoxville Journal, Knoxville, Tenn., Thurs. 8/18/60

BOONVILLE, Ind., Aug. 17 (AP)—The partly dismembered body of 11-year-old Arvil (Honey) Terry was found in the Ohio River today about 12 miles downstream from where a convicted rapist confessed he dumped it after abducting the girl here yesterday.

Less than a half-hour after the body was found, Emmett O. Hashfield, a 53-year-old trinket maker, appeared before a justice of the peace was charged with first-degree murder.

Justice of the Peace Howard Bradley ordered Hashfield turned over to the Warrick County sheriff to be held without bail.

Has Black Eye

Hashfield appeared wearing overall pants and a blue shirt. His arms bore tattoos, and he had a black eye, result of a fight with the dead girl's father this morning.

Police said the father, Dr. Robert H. Terry, had been permitted to question Hashfield and lost his temper during interrogation.

State police said the girl's body had been partly dismembered, and parts were found on the Indiana bank of the river about two miles East of the Owensboro, Ky., bridge. Skin divers recovered the ramainder of the body from the river.

Hashfield, a twice convicted rapist, refused to make any statements until he consulted with a lawyer. He requested that a pauper attorney be appointed for him.

Earlier today, Hashfield led police to a spot upstream where he said he dumped the body of the girl yesterday.

Sgt. Wendolin Opel, state police detective, and Sheriff Robert E. Shelton said Hashfield orally admitted killing the girl.

Hashfield had been held without charge since last night, when police found him in bed in his small home at the south edge of Boonville. His chest was scratched, and his shirt was bloody.

Sgt. Opel said bloodstains indicated the girl had been killed in the living room and taken out across the front porch.

Blouse Found

A white blouse, red plaid slimjims and panties worn by the girl were found in the house, all bloodstained. Her bloody brassiere was found in his car, but her shoes were missing.

In a dresser drawer police found two pet chameleons Avril had worn on her blouse when she went downtown yesterday morning to buy candles for a birthday cake for her sister, Candace, 8.

One of the chameleons was dead, a string tied around its neck. The other one was alive. The girl's parents, Dr. and Mrs. Terry, said Avril liked to hunt for bugs and frogs in the woods.

Police said Hashfield reported he met the girl in front of a Boonville tavern and stopped to help her pick up some pennies she had dropped on the sidewalk.

Hashfield said Avril accepted his offer of a ride—something her parents had warned her not to do.

State police records show Hashfield was sent to the Indiana Reformatory on a rape charge in 1929 and again in 1936 on a charge of assault with intent to rape. He was sent to prison in 1947 on a sodomy charge involving a juvenile and had been paroled three times since then, most recently in 1958.

The Terry family moved to Boonville two years ago. Dr. Terry is a native of Florida and a graduate of the University of Florida, University of Miami and the University of Tennessee Medical College in Memphis.

The Terrys have a third daughter, Robin, 17.

Police Taken To Mutilated Body Of Girl

Fla. Times-Union, Jacksonville, Fla., Thurs. 8/18/60

BOONVILLE, Ind. (AP) — The partly dismembered body of 11-year-old April Khoney Terry was found in the Ohio River Wednesday about 12 miles downstream from where a convicted rapist confessed he dumped it after abducting the girl here Tuesday.

Less than a half-hour after the body was found, Emmett O. Hashfield, a 53-year-old trinket maker, appeared before a justice of the peace and charged with first-degree murder.

Justice of the Peace Howard Bradley ordered Hashfield turned over to the Warrick County sheriff to be held without bail.

BLACK EYE

Hashfield appeared wearing overall pants and a blue shirt. His arms bore tattos, and he had a black eye, result of a fight with the dead girl's father Wednesday morning.

Police said the father, Dr. Robert H. Terry, had been permitted to question Hashfield and lost his temper during interrogation.

State police said the girl's body had been partly dismembered, and parts were found on the Indiana bank of the river about two miles east of the Owensboro, Ky., Bridge. Skin divers recovered the remainder of the body from the river.

Details of what parts of the body were found on the river bank were not immediately available.

REQUESTS ATTORNEY

Hashfield, a twice convicted rapist, refused to make any statements until he consulted with a lawyer. He requested that a pauper attorney be appointed for him.

Earlier Hashfield led police to a spot upstream where he said he dumped the body of the girl Tuesday.

Sgt. Wendolin Opel, state police detective, and Sheriff Robert E. Shelton said Hashfield orally admitted killing the girl.

Hashfield had been held without charge since Tuesday night, when police found him in bed in his small home at the south edge of Boonville. His chest was scratched, and his shirt was bloody.

Sgt. Opel said bloodstains indicated the girl had been killed in the living room and taken out across the front porch.

A white blouse, red plaid slimjims and panties worn by the girl were found in the house, all bloodstained. Her bloody brassiere was found in his car, but her shoes were missing.

CHAMELEONS FOUND

In a dresser drawer police found two pet chameleons Avril had worn on her blouse when she went downtown Tuesday morning to buy candles for a birthday cake for her sister, Candace, 8.

One of the chameleons was dead, a string tied around its neck. The other one was alive. The girl's parents, Dr. and Mrs. Robert H. Terry, said Avril liked to hunt for bugs and frogs in the woods.

Police said Hashfield reported he met the girl in front of a Boonville tavern and stopped to help

her pick up some pennies she had dropped on the sidewalk.

OFFER OF RIDE

Hashfield said Avril accepted his offer of a ride—something her parents had warned her not to do.

Hashfield said they drove to an abandoned strip coal mine south of Boonville, but he was hazy on details of their return to his home and the actual killing.

Boy, 16, Gets 15 Years In Theft, Rape Case

Courier-Journal
Louisville, Ky.

Sixteen-year-old Leonard Paul Hornback, accused of robbing and raping a 30-year-old woman in March, drew prison sentences totaling 15 years in Criminal Court yesterday.

Wed. 6-1-60

Hornback, Overlook Drive, Lake Dreamland, was accused of forcing the woman into an automobile by holding a knife on her. Police said the alleged assault took place off Cane Run Road.

Judge L. R. Curtis gave Hornback 10 years for robbery, amended from armed robbery, and five years for automobile theft. Curtis ruled he must serve the sentences consecutively.

27 h 2

Rape Charge Amended

The rape charge was amended to detaining a woman, and Hornback was given an additional seven years on this charge. However, Curtis suspended the charge and placed Hornback on probation for five years after he gets out of prison.

Hornback pleaded guilty to all three counts.

Two additional automobile-theft charges weer filed away by Curtis.

Police said Hornback took the car of Clyde Lewis, 4432 Walnut Grove, on March 18, and the rape and robbery took place the next day.

Two Brothers Plead Guilty

Hornback's case was referred to the grand jury by Juvenile Court Judge Charles Tachau.

In Judge Thomas J. Knight's court, two brothers pleaded guilty to detaining a woman, amended from rape.

Charles William Coward, 17, was given four years in prison. His brother, Isaac F. Coward, 18, received a similar sentence, but Knight continued his case until June 16 while he studies Isaac Coward's motion for probation.

Two Get 3 Years Each

Also in Knight's court, two men charged with grand larceny pleaded guilty and were given three-year prison sentences.

They are Leon Lavelle Narramore, 23, of 827 W. Chestnut, and John Edwards, Jr., 20, of the 800 block South Fourth. Police said they took some guns from The Sutcliffe Company warehouse, 609 W. Main, in January.

Girl Found Badly Beaten At Roadside

Courier-Journal
Louisville, Ky.

Neighbor Sought By Hazard Sheriff

Wed. 8/17/60

Hazard, Ky., Aug. 16 (AP)—A fragile 10-year-old girl, beaten brutally with fists and a large stone, was found at the side of a Leslie County road near her home at Wooten Monday.

State police broadcast a state-wide alert for a neighbor of the victim.

F. 1-B

The sheriff issued a warrant charging Luther Hacker, about 30, with rape and attempted murder.

State Trooper Robert Dees said Hacker hitchhiked out of the area Monday night, heading toward Jackson, Ky.

Grandfather Finds Her

The victim, described as thin and small for her age, was in critical condition at a Hazard hospital.

She was found in a patch of weeds by her grandfather, who began a search when she failed to return from an errand.

Trooper Dees said the child's clothing was ripped from her body and part of her dress was wrapped around her neck.

He said two other small girls reported a man tried to attack them in the area earlier in the day.

THREE INDICTED ON RAPE COUNTS

The Times-Picayune

Two Charges Are Faced by One Suspect

New Orleans, La.

The Orleans parish grand jury Tuesday returned four aggravated rape indictments against three men.

Two indictments were returned against Rudolph Valle, 27, 4226 Downman, a white man. He is charged with the Jan. 9 attack on a nine-year-old Negro girl near New Orleans airport and the Dec. 2 attack on a 13-year-old Negro girl near City Park.

Stanley Refuge, Negro, 24, 1227 Brooklyn, Algiers, was indicted for the Jan. 16 rape on a 77-year-old white woman in Algiers.

William W. Minto, 42, 314 Marais, was indicted in a December attack on an 11-year-old girl.

The jury returned a no true bill in the case of Edward Minor Jr., Negro, 27, 1021 Lafayette in connection with the Jan. 14 death of Luiaba Porter, Negro, 39, same address.

Executive assistant district attorney J. David McNeill was legal advisor to the jury Tuesday.

The indictments were returned in Judge William J. O'Hara's section of criminal district court.

Rape Trial Of 3 Cops Set Mar. 22

The Louisiana Weekly

New Orleans, La.

Three white ex-policemen were in court again Monday to hear a denial of a 'quash' motion filed by their attorneys last week. Judge J. Bernard Cocke in denying the motion set trial for March 22. The three are accused of the Nov. 29 attack on a 26-year-old Negro mother.

They are: Anthony Saltalamacchia, Jr., 23, 412 Thirba, Metairie; Ronald Raymond, 23, 4003 Banks, former First District patrolmen and Peter J. Callan, Jr., 29, 8252 Apricot, a former auxiliary officer.

The defendants were represented by Attorneys Edward M. Baldwin, Guy Johnson and F. Irvin Dymond.

The young woman alleged that she was attacked after Saltalamacchia stopped her while she was driving back from a baby sitting job and told her she looked too tired to drive and got into her late model car and drove her to a 'secluded spot' and raped her. He allegedly told the other two officers to follow him and wait. They did this according to the young woman and waited nearby while the attack occurred. Saltalamacchia in haste to leave the scene forgot his police cap in the woman's car which was parked on No. Dupre between Toulouse and Lafitte.

All three of the officers were on duty at the time of the alleged attack.

Florida suspect said identified in rape, robbery

The Times-Picayune

BATON ROUGE, La., Sept. 2 (AP) — An 18-year-old girl who was raped and robbed here on Aug. 23 yesterday identified her attacker from a photograph as a Florida penitentiary escapee who was arrested earlier this week in Pensacola, Fla.

City police reported the picture of 23-year-old Marc C. Garvin was pointed out to detectives by the girl .The photo was shown the victim with four other pictures, detectives said.

Witnesses of an armed robbery at a supermarket which occurred the same night as the rape also tentatively identified the man being held in Pensacola as the gunman who used a faulty revolver to commit a robbery at the store.

THE CONNECTION BETWEEN Garvin and the rape and robberies here came when Florida officials found a wallet on him which contained the drivers license of a Baton Rouge woman.

The wallet belonged to a secretary in a downtown building which the rape victim had visited looking for a job just before the attack.

Garvin was arrested by Pensacola police in connection with a super market robbery there. They found in his possession a .32 caliber revolver and several cartridges.

Deputies are being sent from here to Pensacola to interrogate Garvin.

KISSING BANDIT'S TROUBLES MOUNT —

Louisiana Police Quiz Florida Felon As Baton Rouge Rape, Robbery Suspect

The Florida Times-Union, Jacksonville, Fla.

Sat 9-3-60

PENSACOLA, Sept. 2 (AP) — Detectives from Baton Rouge, La., questioned a Florida prisoner today about a rape and a supermarket robbery in the Louisiana capital.

Chief Deputy W. E. Ambrose said Marc C. Garvin, 23, had made a statement to the Baton Rouge officers, but he declined to give details until their investigation is completed.

However, Baton Rouge Police Chief Shirley Arrighi said there that Pensacola officers reported Garvin had admitted the crimes.

The 18-year-old rape victim had identified Garvin from a picture as the man who attacked her Aug. 23, Arrighi said. He also said that witnesses of the supermarket robbery tentatively had identified Garvin as the man who used a faulty revolver in the holdup. It occurred the same night as the rape.

Florida officials found a wallet on Garvin which contained the driver's license of a Baton Rouge woman. The wallet belonged to a secretary in a building which the rape victim had visited looking for a job just before the attack.

Baton Rouge Detective Lt. Malcolm Ballard and Detective J. E. Passman came here to question Garvin.

Escaped From Apalachee

Garvin was arrested near Pensacola Monday. He had escaped from the Apalachee Correctional Institute Aug. 16 while serving six months to life for two armed robberies in Pensacola.

Garvin was sentenced for robbing a woman of $20 at gunpoint last November and for the $740 holdup of a liquor store two weeks later. The woman said he kissed her on the cheek after robbing her.

Garvin surrendered in California later and was brought back here.

After his recent escape, officers said, he kidnaped a woman near Apalachee and forced her to drive him to Pensacola, where he let her go. He telephoned his wife and she notified police.

Kidnaped Wife

His wife said that Monday he abducted her from her parents' home. The couple was found later Monday when officers spied the wife's red pedal pushers in a woods near Pensacola. Officers found a .32 caliber revolver and several cartridges in Garvin's possession.

Two days after his escape, charges of armed robbery in the $103 holdup of a Pensacola variety store Aug. 17, and of car theft were lodged against Garvin.

The Garvins have two small children.

IT HAPPENED IN DIXIE

The Afro-American

'Dark white man' accused as rapist

Baltimore, Md.

Sat 11-5-60

NEW ORLEANS (ANP) — It was a big burly colored man."

This is the frequent heard cry once a white woman says she's been raped in Dixie.

Last week this cry was bellowed repeatedly by two white women. However, the accused man didn't turn out to be who was expected.

Instead, he was a "dark white man."

* * *

THE "DARK WHITE MAN," John D. Populis, 20, is charged with raping a 17-year-old girl and a 54-year-old woman.

He was arrested by Det. Roy L. Jacobs and Sgt. John A. Duff of the county sheriff's office and State Trooper Nobert A. Gurtner.

County Sheriff John Fitzgerald credits the arrest to "round the clock teamwork" of local and state law enforcement bodies.

Dr. Casey cited a recent study made at Fort Lyon (Colo.) VA mental hospital. Of the 646 patients there, 263 had not had a visit from a relative for a year or more, although they had not been home to see their families.

A hundred had never had a visit from a relative since the start of their hospitalization, which for several was a period of 25 years.

Three Women Raped!

Pittsburgh Ba.

Negro 'Curfew' Ends When White Suspect Is Charged

The Courier

KENNER, La. — Several months of curfews, restrictions and intimidations of Negro citizens came to an end when Sheriff John G. (Jack) Fitzgerald announced the arrest and formal charging of a 20-year-old white man in the rape of three white women in this area.

Fitzgerald identified the suspect as John D. Populis, 923 Compromise St.

The rape victims, a 54-year-old woman, a 17-year-old girl, and a 37-year-old woman, had all said that their attacker was a Negro.

As a result, white vigilante groups patrolled the area, Negroes were under orders to be off the streets by dark, and several Negroes complained of having been beaten or mistreated by police officers.

■

ALTHOUGH THIS situation prevailed until the sheriff's announcement last week, it was disclosed that Populis had been in custody since Sept. 8.

The sheriff described Populis as being dark-complexioned.

Populis was arrested by Det. Roy L. Jacobs and Sgt. John A. Duff of the sheriff's office, and State Trooper Norbert A. Gurtner. After a scientific examination by John J. Koch Jr., criminologist for the State Police Crime Laboratory, Baton Rouge, reports said "there was sufficient cause to charge Populis with all three rapes.

■

FORMAL CHARGES were filed against Populis after consultation with District Attorney Frank H. Langridge. The case will be brought before the grand jury, Sheriff Fitzgerald said.

Fitzgerald says Populis denies any knowledge of the rapes with which he is charged. "When he was apprehended, the rapes stopped," Fitzgerald said.

During interrogation, Populis admitted various burglaries in Kenner dating back over a period of three years, and additional charges of burglary have been filed, the sheriff said.

9672

10 Held for Jury in Rape of Girl

The Times Union

...STER, Mass., July 5 ...—Police stood by with riot ... and fire hoses to quell pos... mob action today when 10 ... were held for grand jury ... the mass rape of a 19-... three more suspects, all juve... were given hearings in pri... session. All 13 had pleaded ... earlier in the June 24 ...

Dist. 7/6/60

... Judge Richard Comer... found probable cause to hold ... 10 for the Worcester County ... Jury. Two of the 10 are ..., one charged with rape ... the other as an accessory. ... 10 are held in $670,000 total ...

... than 100 state and local ... firemen stood by to ... any repetition of mob ac... at a hearing Friday there ... shouts of "hang them" ... the men and youths were ... into the courthouse through a ... estimated at 1,500 persons. ... youths broke through and ... to punch a defendant.

... 500 spectators appeared ... kept at a distance by ... and a cordon of policemen. ... Chief George H. Smith, ... principal witness, read the ... ments given by each suspect. ... told the girl, whose name was ..., fainted at least once ... the repeated attacks.

She was pulled from a car in ... lover's lane and raped, and her ... was robbed of about $10. ... captors drove them around ... nearly four hours before re... them.

The comparative calm today ... attributed in large part to ... from church pulpits ... to stay away from the ... today. The pastors ... at the request of police.

Of the 10 held for grand jury ... today, eight were charged ... rape, kidnaping and rob... They were Paul J. Gull... Bertrand A. L'Italien ... John H. Le Blanc and Clar... R. McMillan Jr., all 17; ... Brooks, 23, Walter S. Al... 18, Roger R. Despres, and ... R. Mascis, 20.

Charged as accessories were ... L. Lawrence, 29, and Wil... J. Letters, 18. Two of the ... were charged with rape, ... and kidnaping, and one ... charged at an accessory.

Lawrence and Brooks are Negroes.

Mob shouts 'lynch them' at 11 defendants

The Durham Herald

Durham, N.C.

LEOMINSTER, Mass., July 1—(AP)—Eleven youths and men accused of participation in a gang rape, kidnaping and robbery, were ... to district court, heavily guarded, today while a crowd of 500 to 600 shouted, "lynch them!"

There was no move made toward physical violence.

A total of 13 men and youths ranging from two juveniles of 16 to a man of 29—11 whites and two Negroes—were arrested after the alleged attack on a 18-year-old girl last Friday night.

They all had pleaded innocent previously in three different arraignments and were held for today's court hearing in aggregate bail of $670,000.

This central Massachusetts city of 28,000 was deeply stirred by the attack upon the girl, a member of one of the city's most respected families, and on her 20-year-old college student escort.

THEY HAD just halted their car beside a reservoir outside of town when the alleged attackers in four automobiles surrounded the car, dragged out the girl's escort, beat and robbed him.

They seized the girl, robbed her, allegedly raped her 12 times, and then drove her around with her escort for 3½ hours before releasing her.

All the defendants have been held on charges of rape, kidnaping and robbery, or on charges of being accessories before and after the fact. Police reported all have records of law violation ranging from disorderly conduct to automobile theft and assault.

Mother Tells Of Gang Rape Of Daughter

Jackson Daily News

Jackson, Miss

Feb. 12, 1960

WORCESTER, Mass. (UPI) — A mother who choked back her emotions to tell how her daughter was repeatedly raped and beaten during a night of terror winds up her testimony in Superior Court today.

The testimony of the woman, whose identity was protected by the court, was given as she stared at the 10 young men who are accused of violating her 20-year-old daughter.

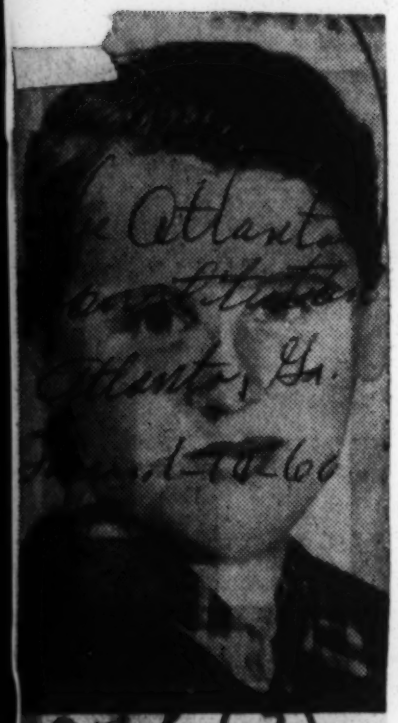
The defendants, charged variously with rape, robbery and kidnaping, range in age from 17 to 29. Two are Negroes. They are accused of dragging the girl from a car where she had parked with her escort and driving her to another spot where she was repeatedly attacked. Her escort was beaten and robbed.

Under questioning by Dist. Atty. William T. Buckley, the witness, wife of a chemical firm executive, told of her daughter's arrival at home at 3:45 a. m. June 25.

She quoted her daughter as saying: "there were 12 to 15 of them— I lost count. One of them was colored and some of them did it more than once. I kicked and even bit but it was no use."

The victim and her escort of that night, a Dartmouth college student, were seated in the courtroom. Buckley said they would testify later.

9673



Associated Press Wirephoto

BODY FOUND — TIJUANA, Mexico — The nearly nude body of Mary Lou Olson, 10, missing 9 days from her home in nearby National City, Calif., has been found in a creek 12 miles south of here. She had been sexually assaulted before she was killed, an autopsy revealed.

9674

Negro Girl Victim

The Pittsburgh Courier

Judge Saves White Rapist From Death

Pittsburgh Pa. P. 5

Aut 8-13-60

GRENADA, Miss.—Circuit Judge Henry Lee Rodgers made sure L. J. Loden Jr., 19, white, would not face execution after being found guilty last week for raping a 16-year-old Negro girl. Death in the gas chamber is the penalty for conviction on a charge of aggravated rape in Mississippi unless the trial jury recommends leniency.

Loden, a married man, who had sought election as constable earlier this year, was charged with raping the girl after luring her into his car on a pretext of hiring her for housework two months ago.

The girl testified Loden drove her into the country and attacked her. She said he returned her to her home after the incident.

■

WHEN THE JURY returned a verdict of guilty of rape, carrying the death penalty, Judge Rogers said the jury apparently had misunderstood that District Atty. Chatwin Jackson had waived the death penalty.

The judge personally polled the jury and learned that each believed he had voted for a life sentence.

Thus, the judge and the District Attorney acted in a manner contrary to what is done when the accused is a Negro and the victim is white.

Loden will be eligible for parole in 10 years. His attorney, however, said he will appeal the conviction to the higher courts immediately.

Young Housewife Victim Of Assault

The Commercial Appeal

Attacker Flees As Husband Enters House

Memphis Tenn.

From The Commercial Appeal Columbus, Miss., Bureau

COLUMBUS, Miss., Oct. 1. — A 19-year-old housewife was reportedly assaulted by a young white man at her home Friday night, the sheriff's office reported Saturday.

The young woman was in a Columbus hospital Saturday for "observation", with her physician reporting to the officers that she had contusions and other marks about her shoulders and neck. Sheriff W. T. Sumrall said the doctor said the young woman had a large bruise on her back about the upper right shoulder.

Deputy J. D. Hood, who investigated for the sheriff's office, said the woman had already been admitted to a local hospital when he arrived. He quoted a neighbor woman, whom he did not identify, as saying the neighbor woman heard the young woman crying out.

The deputy said he was told a young white man, about 25, entered the house through a front window and attacked the young housewife in her room. The husband of the victim arrived as the man was attacking the woman and the attacker fled.

Mother, tot raped, Miss. trio charged

The Afro-American 27 h (2)

Baltimore Md

YAZOO, Miss. — Three white Mississippians, two of them brothers, were arrested and charged with raping a 42-year-old mother and her 5-year-old daughter in a terror-filled after midnight raid Wednesday on a planation farmhouse.

District Attorney Bill Waller said officers arrested Bobby Smith, 18; Charles Coffey, 20, and his brother. Louis Coffey, 22, after three teen-aged children who had fled the house told police of the incident.

Waller said the children reported that the three "tough-looking white men," who said they were deputy sheriffs, knocked on the door of the house, located on the Mayday plantation, at about 2 a.m.

Aut. 11-26-60

THE THREE teen-agers fled, and one of the men forced the mother out of the house and into a car. The 5 - year - old was attacked inside the house.

Police, who arrived on the scene about daybreak, arrested Smith in the car with the mother.

was picked up about an hour later on a highway near the house and the second brother was arrested later in the day after a search with bloodhounds.

The district attorney said that the mother and daughter were examined and treated at University Hospital in Jackson, and that hospital officials said that both had been raped.

Waller added that the child was "in a pretty bad way and we can't get a clear story from her yet."

The three men were held without bond. In Mississippi rape carries only two penalties, life imprisonment and death.

THREE YOUTHS GUILTY OF RAPE

Get Automatic Life Sentence at Greenville

(Special to The Times-Picayune)

GREENVILLE, Miss. — A Washington county circuit court jury Saturday found three teenage guilty of raping a 19-year-old Mathiston, Miss., girl. The jury was unable to decide a verdict.

Under state law, an automatic life sentence results when jurors can not decide punishment for rape.

E. B. Taylor and Joe Biggers, defense attorneys, said they would file a motion for new trial.

The youths are Robert Earl Blade, 19; O'Neal Luke, 18; and Billy Huggins, 18.

The trio was accused of picking up the girl at a downtown Greenville cafe while she was visiting a sister in Greenville. They then allegedly took her to the country and assaulted her.

The defense contended the girl submitted willingly and then took money.

Judge Arthur Clark cleared the courtroom when the trial started and did not allow spectators or newsmen to witness the proceedings.

White Youth Held In Negro Attack

Awaits Action Of Grenada County Grand Jury

GRENADA, Miss., June 28.—(UPI)—A white youth is held here on a charge of assaulting a 16-year-old Negro girl, Sheriff S. L. Davis confirmed Sunday.

Davis said L. J. Loden Jr., 19, was held without bond pending action by the July term of the Grenada County Grand Jury.

"We have been trying to keep this thing quiet because we may be sitting on a keg of dynamite," Sheriff Davis told a reporter.

The girl reported that Loden assaulted her in his car after picking her up at her home on the pretext of giving her a baby-sitting job.

Davis said Loden was 19 years old although he qualified as a voter last summer by giving his age as 21. He was later an unsuccessful candidate for constable.

Soldier Sought In Attack Case

Young Tupelo Girl Victim Of Attempted Assault

From The Commercial Appeal Tupelo, Miss., Bureau

TUPELO, Miss., July 2.—A warrant for the arrest of Johnny Priddy, 29-year-old serviceman, was filed here late Friday afternoon with the Tupelo police department by County Attorney Cason Rankin. Priddy is charged with assault with intent to rape of an unidentified young Tupelo girl Friday afternoon.

Attorney Rankin said he filed the complaint after a warrant was sworn by the girl and her family for his arrest. Priddy, who is also AWOL from his Army base at Fort McClellan, Ala., has not been found.

Mr. Rankin said the alleged attack took place Friday afternoon near Tupelo. The victim, who was in a state of hysterics Friday, was not examined on her doctor's advice. She was to be examined Saturday.

Attorney Rankin said from what he knew Priddy forced the girl, described as in her early teens, into his car and drove east on Highway 72 toward Birmingham to a spot where he choked her into unconsciousness twice. Mr. Rankin said officers said the girl bore scratches about her neck. No account was given of how she returned to Tupelo.

Priddy is married and lives with his wife near Fort McClellan. He was seen last by his mother when she went to work here Friday morning. He was a Tupelo resident before entering the Army.

AWOL Soldier Nabbed For Attempted Rape

TUPELO, Miss., July 4 (UPI)—Johnny Priddy, a 29-year-old AWOL soldier, was jailed here today on a charge of trying to rape his 15-year-old niece.

Sheriff Frank Carter said two officers found Priddy sleeping in a car at a lake seven miles east of here Sunday night and arrested him.

The soldier was placed in Lee County Jail charged with assault with intent to rape. He denied any knowledge of his niece's claim that he tried to rape her.

The girl told the sheriff that Priddy AWOL from Ft. Mccellan Ala., drove her to a secluded spot on U. S. 78 Friday. Carter said the told told him Priddy "nearly choked her to death" as he tried to rape her.

Carter said Priddy and his wife, the victim's aunt, live near Ft. McClellan. He said Priddy formerly lived in Tupelo and that when he invited the girl into his car, she "naturally did not expect anything."

The girl has bruises and scratches on her neck, said Carter. She told the sheriff Priddy choked into unconscious several times.

tacker, but Cason refused to identifv him.

Soldier Is Sought In Girl's Case

TUPELO, Miss., July 3 (UPI)—Lee County officers searched for an AWOL Ft. McClellan, Ala., soldier who a 15-year-old Tupelo girl said choked and tried to rape her.

Lee County Attorney Cason Rankin said the soldier forced the girl into his car and took her to a secluded spot off U. S. 78 and she said "almost choked her to death."

Cason said, "The girl was hysterical after the man let her out of his car. Doctors put her under sedation."

He said the girl named her at-

9676

Youth held in rape, slaying of girl, 7

Birmingham News
Birmingham, Ala.

ST. LOUIS, July 8—(AP)—The broken body of 7-year-old Carol Ann Blankenship was found last night in a wooded area near the Mississippi River. A 17-year-old boy told police he lured the girl to the area by promising to pick mulberries for her, then raped and beat her to death with a club.

The circuit attorney's office issued a first degree murder warrant against Abraham William Skaggs shortly before midnight.

Mrs. Joseph Blankenship missed her daughter about 2 p.m. yesterday. The girl had spent most of the day playing with neighborhood children on a sandpile near her home in South St. Louis. A search failed to locate the girl. Police were called.

A short time later, Leslie Upchurch, 15, discovered the body.

Skaggs was picked up for questioning after several children reported seeing Carol riding on a bicycle with him.

LT. ARTHUR SULLIVAN said Skaggs, a slim youth about 5-feet tall, had blood on his shoes. The boy first told officers he remembered taking Carol to the woods but suffered a blackout after they arrived and could recall nothing else.

Lt. Sullivan said Skaggs later changed his story and went with police to the scene. A broken club with blood on it was found nearby.

August Ernst, acting chief of detectives, said there was evidence that Carol had put up a frantic struggle. Her death was caused by a crushed skull.

Carol was the oldest of the Blankenship's five children.

Girl Found Raped, Slain Near Home

The Fla. Times-Union
Jacksonville, Fla.

KANSAS CITY, Mo., Sept. 9 (UPI) — The body of a 7-year-old girl, beaten with a rock and strangled with the scarf she had used as a prayer cap, was found today in a weed patch in a vacant lot at the rear of her home.

The coroner's office said the girl had been raped. Nearby was the rock with which she had been beaten. The gay red and green scarf with which she had covered her head at Mass was knotted around her throat.

The child had been the object of a night-long search by officers using dogs and aided by scores of volunteers. Two neighbor boys found the body, lying face down in weeds that had overgrown what once was a garden.

Officers said the girl, described by her father as "very friendly, sometimes too friendly," apparently went willingly with the killer to the spot where she was slain.

"There is no indication at all that she was dragged there, and we can't find anyone who heard any outcry," police said.

They detained a 52-year-old man who was questioned about a month ago in connection with an attempt to entice a 4-year-old girl into a vacant garage in the same neighborhood, into which the murder victim's father only recently moved his wife and their six children.

27h (2) 1960

NEW JERSEY

9677

Abductor Lures Girls Into Car, Attacks One

Philadelphia Bu.

Philadelphia Inquirer

Special to The Inquirer

TRENTON, Aug. 12.—A man with curly blond hair lured two little girls into his car in a playground here Friday afternoon and criminally assaulted one of them on nearby Duck Island. Later, the assailant drove the girls back to the playground and pushed them from the auto.

8-13-60

The brutal crime touched off an intensive manhunt by Trenton and Hamilton township police and investigators from the Mercer county prosecutor's office.

LURES GIRLS INTO CAR

Detective Lt. Stanley Kowal said the abduction occurred at 3:35 P. M. in the American Bridge playground, on Lamberton st. at the Delaware river.

He said the man lured the girls —one 6-years-old and the other three into his car with a promise of ice cream.

Kowal said the man then drove south to a wooded area of Duck Island south of the Marine Terminal, and twice assaulted the 6-year-old girl.

Shortly after 4 P.M., the man drove the children back to the park and pushed them out of the auto. This occurred as the 6-year-old girl's mother and a neighbor arrived, looking for the girls, according to the detective.

The attacker then sped off at high speed, narrowly missing a truck, Kowal said.

TAKEN TO HOSPTIAL

The older girl was taken to St. Francis Hospital.

The man was believed driving a late model car painted tan and cream.

Kowal said police were trying to locate the driver of the truck almost hit by the attacker's car when he made his getaway in the hope of getting a clearer description of the man.

Duck Island is a desolate section along the Delaware River south of the city.

9678

YOUTH GIVES UP IN L.I. RAPE CASE

Writer of Letter to Victim Sent to Mental Hospital —Woman Forgives Him

Special to The New York Times.

MINEOLA, L. I., Jan. 30—A 20-year-old electrical worker who had admitted kidnapping and raping a young mother in Hempstead on Jan. 9, surrendered to the police today and was committed to a mental hospital for observation.

The youth, Peter Lucas Jr. of 27 Springtime Lane, Levittown, was identified as the author of a remorseful letter in which he pleaded with the young woman for forgiveness. She had received the letter, scrawled on fourteen small sheets of paper, last week.

Last night, the police said, a psychiatrist who had been consulted by Lucas telephoned county police in Seaford that Lucas was waiting in his office to surrender.

Meeting his victim face to face in Seaford early this morning, Lucas said: "Everything I said in the letter I meant. I hope you will foregive me. Do you?"

She sank into a chair and whispered: "Yes, I think I do."

Judge Benjamin Zipper in Nassau District Court ordered the youth committed to Pilgrim State Hospital in Brentwood for a sixty-day observation.

"I have serious doubts as to his sanity," Judge Zipper told Lucas' lawyer, John P. Mahon of Jamaica.

Lucas, who was wearing a dark gray car coat with black fur collar and cuffs, light gray trousers and black shoes, remained silent throughout the proceedings. Upon conviction he faces a maximum life sentence on the rape charge and a similar sentence on the kidnapping charge.

Suffered Dizzy Spells

Mr. Mahon told the judge that his client had been involved in an automobile accident last year and had since suffered periodic dizzy spells.

"What you are saying is that your client did not know the nature of his act?" the judge inquired.

"Yes, Your Honor, that is true," Mr. Mahon said.

In his letter to the victim, who is 18 years old and has a 20-month-old daughter, Lucas said he had gone to a priest to confess his crime and had been sent "to persons who are going to help me mentally."

He said he realized he had "some type of mental problem or block" that turned him into "some sort of animal."

The young mother, a bank employe, was accosted in the parking lot behind a Hempstead supermarket and forced into the trunk of an automobile. The police said that Lucas, after stopping once to bind and gag her with a sweatshirt, drove her to a motel in Farmingdale.

There, the police said, Lucas registered in his own name and rented a secluded cabin. After the attack Lucas assertedly drove the girl back to Seaford and released her.

Woman Raped In Greenwich Village Office

A fifty-nine-year-old woman was raped and robbed of $4 yesterday by a man armed with a knife in a Greenwich Village insurance and real estate office that she operates with her husband.

The woman was alone in the second-floor office at 11 a. m. when the man entered and posed as a car owner interested in getting insurance. After fifteen minutes, he produced a knife, pressed it against her throat and warned her against making any outcry.

He forced her into a washroom and made her remove her underclothing. She fainted. The man raped her and took $4 from her pocketbook before fleeing. When she revived, she called police and was taken to St. Vincent's Hospital.

Police said she described her assailant as a Puerto Rican, about thirty, and wearing a three-quarter-length coat.

L. I. Rape Suspect Is Seized

MINEOLA, L. I., Sept. 29 — A 23-year-old [illegible] groom from Chicago was charged today with raping a 19-year-old girl who was babysitting for two younger sisters in her Levittown home. The suspect, Robert Baker, who arrived in Nassau County [illegible] days ago, was held in $30,000 bail.

Negro Tot Raped, White Man Held

NEW YORK (AP) — A 7-year-old Negro girl was raped, according to a complaint by her parents last night.

A 26-year-old white man, picked up for questioning in the case, was sought after fleeing from police despite a warning shot.

Detectives refused to divulge the names or address of the parents, in order to protect the identity of the child. They named the man taken into custody as Richard Stamloulis, of 1952 Park Ave.

Ex-Convict Held Without Bail In Attempted Rape of Girl, 13

By ROBERT HERB,

World-Telegram Staff Writer.

Joseph Coronia, 39, who served at least three prison terms for sex crimes, was ordered held without bail today pending grand jury action on charges of assault, robbery and attempted rape of a 13-year-old girl.

"You are not a human being, you are an animal," Magistrate Benjamin H. Schor told Coronia at his arraignment in Brooklyn Felony Court. "I think you should be jailed for the rest of your life in order to protect society."

At least a dozen other schoolgirls, all victims of recent sex attacks, were in court to determine whether Coronia was their attacker. Police would not say whether any had identified him.

Fought for 10 Minutes.

Police said Coronia admitted attacking the girl at knifepoint yesterday in the St. Mary Mother of Jesus School, 35th St. and 23rd Ave., Bklyn. The girl fought him for 10 minutes until he fled, making off with her wristwatch. Tabbed by his victim from rogue's gallery photos, he was picked up last night at his home, 112 Highlawn Ave., Bklyn. At headquarters, the girl identified Coronia in person, police said.

Records show Coronia has a list of arrests dating back to 1936 when he was convicted for attempted rape in Jersey City. He served about two years of an indeterminate sentence on this charge. Subsequently, police said, he served:

- Five years for first-degree rape in Brooklyn in 1948.
- Twenty-nine months for assault with intent to commit rape in Jersey City.
- One year for breaking and entering with suspicion of intent to molest a child in Jersey City. He was released last February after serving this sentence.

13 Victims.

In another sex case, Jack India, 25, of 348 S. Third St., Bklyn., the suspected "Black Gloves" rapist, was held in $100,000 bail by Kings County Court Judge John R. Starke. He was arraigned on indictments charging him with rape, robbery, grand larceny, assault and burglary.

At least 13 women, all of whom had been attacked while they were alone in their apartments, were in court to look him over. Some had told police their assailant had worn black gloves. Police said several

2 Whites Held In Negro Rape

Two 18-year-old white youths were charged today with a rape-robbery assault on two young Negro women.

Queens police arrested Walter Stokes, 57-81 69th Lane, Maspeth, and Christopher Dowdle, 34 Cedar St., Bklyn. A third youth is being sought.

Police said the three boys were out riding Saturday night when they spotted the women, a music teacher and a nurse, at Fifth Ave. and 42nd St. They offered to drive the women home. One of the women started to enter the car. When the other hesitated, the boys dragged her in.

The trio drove the women to a junkyard along the Brooklyn-Queens Expressway in Maspeth. There, police said, Dowdle raped the 22-year-old teacher, who is married and five months pregnant. The 23-year-old nurse, employed in a Manhattan hospital, fought off the other two youths.

Frightened by the women's screams, the trio grabbed their purses, containing $52 and fled on foot. Police traced the abandoned auto to Stokes' father and arrested the son

yesterday. He named his confederates.

27h(2) 1960

NEW YORK

9679

Teacher Freed In Sex Case

JERSEY CITY, N. J. (AP) — Dr. Basil S. Warner, high school teacher charged with having sex relations with a pupil, was acquitted by a jury Friday night.

"Now that I am vindicated, my only desire is to go back to teaching," said Warner. He has been working as an auto mechanic since his suspension from Dickinson High School two years ago.

The 40-year-old instructor said he would try for reinstatement at Dickinson and would try to collect $16,000 in back pay. He thanked his defense attorney, Maurice M. Krivit, for standing by him "even when I couldn't pay him."

Warner was cleared of all charges—13 counts of having sexual relations with a minor, two counts of impairing the morals of a minor and one count of threatening her life.

The girl, Dallas Beattie, 17, had testified in County Court that she and Warner were intimate 108 times in 1957. The slender brunette, 14 at the time, said she had gone to Warner originally for help with her algebra.

RAPE AND BURGLARY LAID TO 2 IN QUEENS

Two alleged rapists were captured in Queens early yesterday when a son of the victim ran from their home and called two policemen.

According to the police of the 100th Precinct, Rockaway Beach, the men, who had been drinking, broke into a home on Beach 174th Street about 2 A. M. They ransacked the apartment of a 48-year-old widow and terrorized her and her two sons, and took $32 in cash. Then, using pocket knives to threaten the family, the men assertedly raped the woman.

The older boy, 15 years old, ran from the house and a block away found Patrolmen William Berry and Jeremiah Lerner and told them what was happening.

After firing one shot, the policemen captured Willie Lloyd, 20, of 162 Beach Eighty-first Street and Sylvester Cholmon-

deley, 17, of 82-01 Hammel Boulevard, both of Hammel, Queens.

Charged with rape, felonious assault and burglary, the two were held for arraignment today in Ridgewood Felony Court.

9680

In Lincoln County

The News and Observer
Raleigh, N.C.

Woman Reports Attack By Her Two Kidnapers

Mon. 1-4-60.

LOWELL, (AP) — Lowell Police Chief Jack Ridley said a woman kidnaped from her home at Crouse Sunday was found near Lowell about 7:45 p.m. He quoted her as saying she was raped "five or six times" by two men.

Ridley said Mrs. Janet Black, attractive 31 - year - old blonde, was let out about a mile north of Lowell by the men. She flagged a motorist who brought her to the police station here.

Two armed white men forced their way into the home of C. G. Black home at Crouse at 5 p.m., trussed up Black and his two sons, robbed him of $40, and forced Mrs. Black to accompany them.

Chief Ridley quoted Mrs. Black as saying the men, whom she never had seen before, drove to the Spencer Mountain region, where they took turns raping her. The police chief said the woman told him she was raped "five or six times. Both in the car and in the woods."

Chief Ridley said Mrs. Black had been struck on the head, but did not appear to have been injured seriously. He said she likely will be taken to a hospital.

Black, 34-year-old over-the-road truck driver, and his wife, were watching television when the two men knocked on their front door.

Their oldest son, Dennis, 13, answered the knock and summoned his father.

Black said the man pointed a .25 caliber pistol at him and ordered him to "Back up. I mean business. Go in and lay down on the couch."

Black said he and his two sons were tied and Mrs. Black was forced to leave with the men. Dennis worked loose from his bonds freed the others and Black telephoned police from a neighbor's home after finding his own telephone wires cut.

Black said he did not know the men. One was dark complexion, sported a mustache and glasses, and had buck teeth. His slight companion wore a gray sports coat and light blue trousers.

Police said the men forced Mrs. Black into a two-tone, 1952 green Chevrolet. Roadblocks were thrown up by police in all surrounding counties.

Black said one man carried a .25 caliber pistol and the other a knife.

Crouse is a sparsely settled community about 5 miles south of Lincolnton in Lincoln County and near the Gaston County line.

Both men appeared to be between 30 and 35 years of age. One man was about 5-6 and weighed about 120 pounds. His companion, 5-9 to 6 feet tall, wore a dark sports shirt and dark trousers.

Mother Assaulted As 2 Invade Home

Gastonia Daily News
Lincolnton, N.C.

LINCOLNTON, N. C. (UPI) — A 31-year-old mother of two sons was dragged from her home Sunday by two men and raped repeatedly in an abandoned shack.

Mrs. Janette Black staggered into a police station at Lowell, N.C., and told officers that she was kidnaped from her home in the Crouse community, about four miles west of here, and raped several times before she was released.

Lincoln County Sheriff Frank Heavner said the woman apparently had not been beaten and was "in good condition." A farmer in the area brought her to the police station.

Gaston County deputies said one man was arrested several hours after Mrs. Black was raped. Willie (Bill) Shedd Jr., a dishwasher at the Gastonia bus station, was charged with rape.

SECOND MAN CHARGED

Officers said a warrant charging Robert Lee Case, 29, with rape had been issued by the woman, but Case, who lives near Lowell, had not been taken into custody.

Sheriff Heavner said he would charge Shedd with kidnaping and robbery in connection with the woman's abduction from her home.

The victim's husband, C. G. Black, told officers his 13-year-old son answered the door when two dark-haired men with buck teeth and mustaches knocked. He said the men asked for him but before he could get to the door they stpped inside the house and pointed a gun at him.

The men herded Black, his wife and two sons into another room and took $44 from his wallet. They cut window-blind cords and tied Black and his two sons. Then they grabbed about $30 from Mrs. Black's purse and dragged the woman from the home.

CUT 'PHONE LINES

Black said the pair cut the telephone lines so he could not summon help, and shouted as they left the house that they would leave his wife at a creek about a qarter of a mile away.

A 9-year-old son freed himself and cut his father loose, officers said. Black's screams brought neighbors who called police.

When Black and a neighbor went to the creek to search for Mrs. Black, they were unable to find her.

The abandoned shack where the attack took place was about 20 miles from the Blacks' rural home.

Man Given 15-Year Term For Attacking Housewife

The News and Observer
Raleigh, N.C.

Raymond Charles Creason, 26, of Route 4, Raleigh was sentenced in Wake Superior Court Tuesday to 15 years in prison for beating and attempting to rape the partially-blind wife of a Western Boulevard merchant.

A jury of 10 men and two women deliberated less than 30 minutes before finding Creason guilty of the crimes against Mrs. J. S. Hayes, 52, whose husband runs a food market.

Wife Testifies.

Mrs. Hayes testified she returned from church the night of April 14 and found Creason in her living room. She said Creason threatened to kill her, choked and beat her, and threw her on the floor.

"I couldn't tell you how many times he beat me," Mrs. Hayes said.

She said Creason tried to drag her through the kitchen but she resisted and began to scream for help.

A neighbor, D. D. Raines, testified he heard Mrs. Hayes screams and saw Creason hit her three times before vaulting over a cinder block wall and leaving the yard.

Creason later surrendered at police headquarters after flagging a motorist who had stopped for a traffic light.

Creason maintained that he went to the Hayes home to use the telephone and while he was here, Mrs. Hayes became panic-stricken and assaulted him.

Lou Oberlies, a member of the voluntary police auxiliary, said Mrs. Hayes was hospitalized after the incident and that she had been beaten until "her eyelids were so swollen, you could not see her eyes."

Solicitor Lester V. Chalmers noted that Creason had spent most of his adult life in prison.

Creason's record includes three years to life for rape in California.

"Since you were 19, you've spent most of your life in prison, haven't you?" Chalmers asked the muscular, tattooed defendent.

Creason nodded.

"Since I was 19, I been locked up all but ten months," he said.

Painter Sentenced.

Earlier in the day, a 19-year-old painter was sentenced to five years in prison after pleading guilty to charges of assaulting Mrs. Joyce Nixon, 1305 College Place, with intent to commit rape.

Mrs. Nixon, a Rex Hospital nurse, testified that the defendant Garcia Cecil Ward of Smithfield, was doing some painting at an apartment near hers when the incident took place on May 23. She said Ward came to her door and asked if her husband was at home, saying he needed help in moving a cabinet.

Mrs. Nixon said she volunteered to help move the cabinet and when they reached the neighboring apartment Ward grabbed her, put a knife to her throat and threatened to kill her if she resisted.

She said she began to question the youth about why he was attacking her. Ward let her go, she said, when a Negro man working outside came to the door to ask for water. Mrs. Nixon said he ran from the apartment and that as she fled, Ward warned her not to tell what had happened.

Mrs. Nixon said she didn't report the incident to police at the time. It was reported later after her husband had seen Ward around the apartment building several times, she said.

Blond is sentenced in attack on girl

HALIFAX, N.C. — James E. Joyner, an 18 - year - old blond, last week was sentenced to six to eight years in connection with the May 12 attempted rape of a 10 - year-old girl.

The youth was charged with attempted criminal assault of the girl who lives in the Draper Cross Roads community. He pleaded guilty to the lesser charge of assault on a female and threw himself at the mercy of the court.

Earlier this spring a colored youth was tried and convicted in the same Superior Court and sentenced to 50 years on a charge of burglary and attempting to assault a 15 - year-old blonde baby - sitter.

* * *

JOYNER DID not take the stand in his defense. He was represented by W. O. Rosser of Whitakers, who called several character witnesses on the youth's behalf.

Significantly, State Solicitor W. H. S. Burgwin Jr. of Northampton County, prosecuting attorney, did not say a word in the case. He only took the statement of the little girl and left her to interrogation by the defense.

* * *

SHE TESTIFIED that the youth forced her into his car as she was enroute to a store a mile from her home. She added that he tried to have sexual relations with her, but was unsuccessful.

Continuing, she said that the youth then brought her near home and released her. Upon reaching home, the girl said she reported the incident to her mother.

The mother testified that hospital reports stated that her daughter was injured during the ordeal.

Wake Man Given Prison Sentence In Assault Case

A 39-year-old Wake County carpenter was sentenced Thursday to serve five to eight years in prison after being convicted of attempting to rape a nine-year-old school girl.

Judge Henry A. McKinnon of Lumberton told the defendant, John William Jones, that there was no excuse for his action and that the penalty should serve as a warning to others.

Jones, who lives near Willow Springs, was charged with assaulting Dorothy Hilliard, of the same community, last April 4.

The girl testified that she was on her way to Swift Creek School where she is a student of the fourth grade, when Jones offered her a ride in his car.

She told officers Jones took her to a wooded section in Panther Banch Township, made her pull off her clothing and attempted to have relations with her.

As they rode past Jones' house, the girl said, Jones told her to duck down in the car.

Jones pleaded not guilty to the charges Wednesday but changed the plea to no contest Thursday morning.

Defense attorney Thomas A. Banks, in a lengthy talk to Judge McKinnon, said Jones has an alcohol problem. He said Jones had been on a drunk for several days at the time the incident occurred.

J. R. Woodward, Willow Springs merchant, and Thomas Allen, general contractor and Jones' employer, each said Jones was a man of good character. They described him as a hard worker, said he was good to his wife and four children.

JOHN WILLIAM JONES

Carolina Jury Clears Doctor In Rape Case

WINSTON-SALEM, N.C. (AP) — A jury Saturday cleared a doctor of a charge of assaulting a young woman patient.

Dr. Julian L. Harris, 38, and his wife clasped hands, looked at each other, and then started smiling as the all-male Forsyth County superior court jury brought in a verdict of innocent.

The complaining witness, Mrs. Shirley Ann Whitley, 21, who had appeared on the verge of tears several times while awaiting the jury report, held her head high when the verdict came. She quickly walked from the courtroom with her husband, Donald Whitley.

She had claimed that Dr. Harris had tried to rape her in his office last June 17 while treating her for a throat ailment. The charge against the doctor originally was assault with intent to commit rape, a felony. It was reduced during the three-day trial to simple assault on a woman, a misdemeanor with maximum penalty of two years.

The jury deliberated four hours, two and a half hours Friday night and an hour and a half Saturday.

Doctor On Trial In Assault Case

WINSTON-SALEM (AP)—A petite and comely blonde tearfully testified here Thursday of what she said was an attempted assault on her by a physician during medical treatment.

Mrs. Shirley Ann Whitley, 21, testified that her husband, Donald, rushed into the doctor's office when she screamed last June 27 and began beating Dr. Julian Lynn Harris, 38-year-old Winston-Salem physician.

The doctor was charged with assault with intent to commit rape.

Mrs. Whitley said she was lying on a table and covered with a sheet as Dr. Harris attempted to remove some gauze packing from her vagina with his fingers. Because of the sheet, she testified, she was unable to see the physician, but suddenly she heard the doctor breathing deeply and he pulled her to him. She said his pants were unzipped and she then screamed for her husband.

Mrs. Whitley later changed into sweater and toreador pants to demonstrate to the all-male jury the position she was in when the doctor pulled her to him.

Dr. Harris, whose wife was seated next to him, listened intently to the testimony.

Mrs. Whitley testified that she went to Dr. Harris' office for treatment of a sore throat. She said he told her she needed a thorough examination and he would telephone her later in the day about it. When he did not, she testified, she phoned his office and his home leaving messages for him.

She testified Dr. Harris then called her back and told her to come to his office at 6:30 p.m. She said her husband dropped her at the office and Dr. Harris told her she had a kidney infection and that they would have to go to another office in the basement of his home to remove a cyst.

At Dr. Harris' basement office, she testified, Dr. Harris placed the gauze in her. She said they returned to his regular office and he instructed her to lie covered with a sheet on the table while her husband waited in another room. It was then that the incident occurred, she said.

Duke Woman Student Assaulted On Campus

DURHAM (AP) — The brutal assailant of a Duke University graduate student, remained at large Thursday night as investigators, handicapped by lack of clues, checked off various theories.

The 23-year-old victim of the Wednesday night rape, her left eye blackened and her face and throat sore from pounding and choking, remains in satisfactory condition at Duke Hospital.

Her name was withheld pending further investigation.

Detectives, assisted by Duke campus police, combed the thickly wooded area back of Baker House adjacent to Duke Hospital Thursday morning for some telltale evidence.

Still terror-stricken from the ordeal, the student related that she left the hospital library shortly after 10 p.m. and started riding her bicycle toward Hanes House where she lives.

She told the detectives that just as she prepared to make a turn from the unlighted road back of the hospital to Duke University Road, three youths or men blocked her path.

The particular stretch of road was dark and she said she was unable to say whether they were white or Negro.

The woman said she was jerked from her bicycle and dragged into the woods alongside the road by one of her assailants, while the other two fled. She said she was criminally assaulted in the woods.

Girl, 15, School Escapee, Accuses 6 Policemen of Assault

Police Commissioner Thomas J. Gibbons on Monday ordered full investigation of a report by a 15-year-old escapee from a special school for girls that six policemen had molested her.

Inspector Harry G. Fox, head of the Juvenile Aid Division, was assigned to direct the investigation to be made by Inspectors Joseph J. Halferty and Joseph [illegible].

The girl, whose name is being withheld by The Inquirer, was picked up on Spruce st. near 9th last Wednesday.

Under questioning by Police-woman Josephine Mullaney, she revealed had escaped two days before from a Main Line school operated for emotionally disturbed girls.

She said she injured her back in leaping from a window. She is under treatment at Philadelphia General Hospital.

ASSAULT HEARING

The details of her story first became public Monday morning in Juvenile Division of Municipal Court at a hearing for a taxi driver accused of assaulting the girl in his cab.

This occurred last April 26, and police said the details given by the girl checked with a statement made to them by the cab driver, Charles Lampert, 23, of Patton dr. near Tasker, father of four children.

Because of this, Gibbons ordered his investigation of the girl's allegations that she had been assaulted in police cars on various occasions by six policemen.

HELD IN $500 BAIL

Lampert was held by Judge Theodore O. Spaulding in $500 bail for a further hearing on charges of assault, corrupting the morals of a minor and contributing to the delinquency of a minor.

Judge Spaulding said the further hearing was set to allow investigation of other facets of the case. Assistant District Attorney Bernard Goodheart, however, said he would like some testimony on record. Sgt. William Vogt, of the Juvenile Aid Division morals squad, then told of the arrest of Lampert on a description furnished by the girl.

Police said the girl told them the assault occurred at 43d and Sansom sts., and that later she was driven to the central city and urged to meet a "bouncer" in a cafe who could help her earn $50 to $100 a week. She said she refused.

The girl's parents, who live in St. Petersburg, Fla., were not at the hearing.

Lampert's attorney asked that low bail be fixed because his client had no previous record. However, JAD officials reported he had been committed to White Hill in 1954 after arrest on robbery charges, and a year before that he had been arrested on a weapons charge.

Father Of 3 Admits Over 100 Assaults

PHILADELPHIA (AP) — More than 100 rapes or attempted rapes during the last five years were admitted Wednesday by a father of three, police said.

Thirty-nine women, ranging in ages from 19 to 60, identified Donald Barry Stewart, 27, as their attacker, said Detective Lt. William Lovejoy. Stewart never had a criminal record until last week when he was picked up on charges of attempting to break into a policeman's home.

Lovejoy said Stewart often had trailed women after they left buses or trolleys late at night, then attacked them in the street. He said Stewart also often would park his car in a residential area early in the day, wait until he saw the man of the house leave and then enter the house, either by force or through a ruse.

Lovejoy said Stewart couldn't remember the exact number of assaults.

Gang Assaults Girl, Beats Escort After Camden Auto Chase

A gang of hoodlums overtook a Camden man and his date in an auto chase in Farnham Park early Saturday, criminally assaulted the girl and brutally beat and robbed her companion.

The man, James Bollettiro, 35, of 2916 Royden st., East Camden, and the 19-year-old girl, whose name is being withheld by The Inquirer, were driving home on Baird blvd. near Admiral Wilson blvd. at 4:30 A. M. when the other car tried to force them off the highway.

ESCAPES TRAP

Bollettiro stepped on the accelerator and escaped the trap. The car full of young men pursued him and he swung his auto into Farnham Park. After he got into the park a short distance, however, his auto stalled.

The other auto pulled alongside and the driver said, "Got trouble buddy? We'll give you a hand." Bollettiro got out of his car and was struck on the head with a pistol.

At least five others then piled out of the car and Bollettiro's girl companion began running through the park. She was caught a short distance away and assaulted by each of the men.

STRUCK 2D TIME

Bollettiro struggled to assist her but was struck again on the head. Then he was robbed of his wallet containing $6, his wrist watch and two rings. He and the girl were forced to lie face down in a ditch while their assailants got away. "If you look around we'll shoot you," they were warned.

After the car drove away the couple searched in vain for her clothing. He gave her some old garments from the trunk of his car and they walked to a house on Park blvd., aroused the owner and called police.

CLOTHING SCATTERED

Bollettiro told detectives the assailants were Negroes. Police searched the area, found signs of the struggle and discovered the girl's clothing scattered over a wide area.

Bollettiro is a musician in a Camden cafe. The girl is a part-time waitress in a Camden luncheonette and also is a student.

Late Saturday night Detective Sgt. Stewart Patterson ordered all off-duty Camden detectives to join in the search. They will cruise all night throughout the city looking for the gang's car, Patterson said.

9682

Youth Held On Attempted Rape Charge

The News & Courier
Charleston, S. C.
Jan. 5-20-60.

A man charged with burglary and with assault and battery with intent to ravish has been bound over for the next term of General Sessions Court.

Nathaniel Reid, 22, of Drake Street, is being held without bond after a hearing before Magistrate James H. Harvey.

Reid is accused of entering the bedroom of a 67-year-old woman on East Bay Street on May 3 and choking her in what police say was a rape attempt. A resident of another apartment was awakened and fired at the man as he escaped. Reid was picked up near the apartment a few minutes later after a policeman was attracted by the shot.

Oswego Man Held In Rape Of Negro Girl

The News and Courier
Charleston, S.C.
Jan. 6-19-60
P. 11-A

OSWEGO (Special) — A 28-year-old white man of Oswego is being held in Clarendon County jail in Manning, charged with rape of a 14-year-old Negro girl of Summerton, according to Sheriff T. J. Jackson.

The name of the man is being withheld pending further investigation.

The Sumter County man went to several Negro homes in Summerton Friday morning, pretending to be looking for a baby sitter for the day for his four-year-old son, officers reported. He hired the girl and took her in his 1959 automobile out from Summerton and turned into a side road about 100 yards and there committed the crime, it is charged. He brought the girl back to the edge of town and disappeared, officers quoted the girl as saying.

She had written his license number on the ground, reported to her mother what had happened and the mother called Chief of Police Ernest Causey in Summerton, who called the sheriff, the officers said. They got the car owner's name through the license number registered in Columbia and the Oswego man was picked up near Paxville during the afternoon by Patrolman Lawson, the sheriff said. The man was in a lineup with six other men and was picked out immediately by the girl.

He denies any knowledge of the crime, the sheriff said.

Mental Exam for South Carolinian

Sat. 7/9/60
The Pittsburgh Courier, p. 3

To Test White Man In Race Girl's Rape

Pittsburgh, Pa.

MANNING, S. C. — The victim's mother wept bitterly and begged for another course, but Clarendon County authorities ordered a 28-year-old white man tested for 30 days after a 14-year-old colored girl quickly identified him as her criminal assailant.

The man, Amos Franklin Baker of the town of Oswego in adjacent Sumter County, will face criminal assault charges after the 30-day mental testing period at the State Hospital in Columbia.

The victim had been engaged to baby-sit by Baker, who promised her and her mother he would pay $2 for the service. The girl said that instead of taking her to the promised job, he pulled into an off-the-highway wooded area, attacked her and returned her to the edge of Summerton, where she lived and left her there.

The girl wrote the number of the car's license plate in the ground where he left her. Officers checked out the number through the South Carolina Highway Department.

The man was put in a lineup of several other men. The victim picked him out immediately.

9683

Girl Found Dead Near Riverfront

Knoxville Student Had Been Beaten, Assaulted

KNOXVILLE, Jan. 20.—(AP)—A hocky-playing high school senior, missing since she went in search of dancing here Saturday night, was found dead Wednesday on a bluff near the Tennessee riverfront.

Police said she had been sexually assaulted and beaten on the head, apparently with a heavy object, but awaited an autopsy report to determine the cause of death.

The body was partly hidden by a pile of old tires and boxes in a spot known locally as Ruby Point—just a few blocks from downtown nKoxville.

The girl, Joanna Gail Huffstetler, 17, of nearby Maryville, left home Saturday to visit a girl friend in Knoxville. The friend said they went dancing at several Knoxville places, and she last saw Joanna at a drive-in restaurant Saturday night with a boy she met at one of the clubs.

Police were looking for a man who has a police record. The divorced mother, Mrs. Huffstetler, reported her daughter missing Monday.

At Maryville's Everett High School, where the girl was a junior, officials said she had not reported for classes since the beginning of last week. They added it was not uncommon for her to miss school.

When she was found, Joanna was dressed exactly as she was when she left home—red skirt, white blouse, tan skirt, and high-heeled shoes. Her undergarments had been torn.

Attack Suspect Arrested in Girl's Murder

KNOXVILLE, Tenn., Jan. 23 (AP)—A heavily tatooed Knoxville ex-convict was nabbed on a Los Angeles, Calif., street by FBI agents on charges of raping and murdering a 17-year-old high school girl.

Leroy Willis Young, 37, was spotted by the agents after the Knoxville Police Department surmised the West Coast city would be the former merchant seaman's destination.

Knoxville homicide Capt. Charles Lobetti said Young left Knoxville Monday on a westbound bus. Lobetti said Young had been fired earlier Monday for sleeping on the job at a textile mill.

• • •

YOUNG WAS SOUGHT after he was identified as the last known companion of Joanna Gail Huffstetler, of nearby Maryville.

The high school senior disappeared after a round of dancing in Knoxville clubs Saturday night. Her ravished body was found Wednesday buried under a pile of rubble near the Tennessee riverfront a few blocks from downtown Knoxville.

The girl had been beaten on the head and her torn undergarments indicated she had been killed in a struggle with a sex assailant. She had had sexual relations before her death, an autopsy showed.

Young's bloodstained car was found Wednesday night in a parking lot owned by an automobile finance company.

• • •

HE WILL BE arraigned in Los Angeles Monday on unlawful flight charges. Both murder and rape carry the death penalty in Tennessee.

The FBI said Young has a criminal record dating back to 1941. It includes convictions for auto theft, breaking and entering and felonious assault.

Young is married and has a 12-year-old daughter by one of three former marriages, police said.

Burglar rapes Memphis mother

MEMPHIS, Sept. 22 (AP)—A Virginia man was accused by police today of robbing and raping a 40-year-old woman in her home while her 6-year-old daughter slept nearby.

James Walter Short, 24, of Sandston, was charged with burglary, larceny and rape in connection with the assault on the woman.

Detective Capt. Charles F. Young said Short broke into the woman's home before dawn yesterday, took her wallet and later returned to rape her.

9684

Charges Filed Against Priest In Assault Try

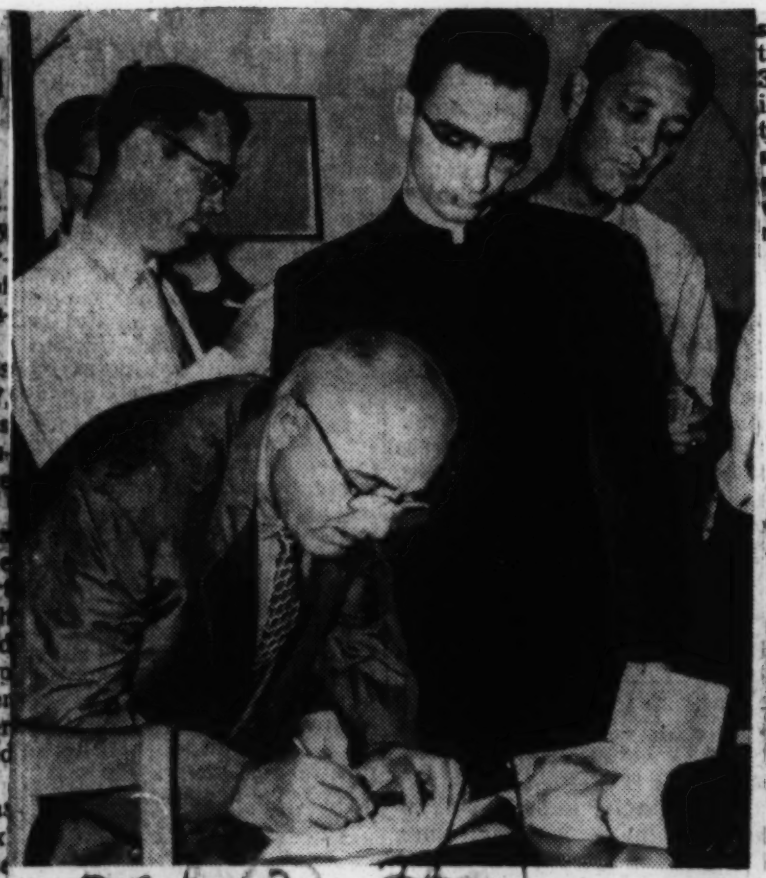
EDINBURG, Tex. (AP) — Dist. Atty. R. L. Lattimore Saturday turned over a warrant to the sheriff's department for the arrest of a Catholic priest charged with assault with intent to rape.

Lattimore filed the charges against Father John B. Feit, 27, on a complaint signed by Miss Maria America Guerra, 20, a student at Pan American College here.

Lattimore quoted Miss Guerra as saying she was attacked while she prayed at the Sacred Heart Catholic church here last March 23. The district attorney quoted her as saying a man came up behind her and placed a rag over her face. She said she bit her attacker on the finger and he fled from the church.

Lattimore said Father Feit was believed to be in San Antonio, Tex. Sheriff E. E. Vickers said late Saturday he had not decided whether he would mail the warrant to the sheriff's office in San Antonio or send an officer to that city.

Feit was a student at the San Juan Pastoral House near here in March and was assigned to no church.



Associated Press Wirephoto

$10,000 BOND MADE . . . The Rev. John B. Feit, a Catholic priest charged in San Antonio with assault to rape, watched as attorney Fred Semaan signed a $10,000 bond for him yesterday.

Priest Gives Up, Denies Rape Charge Or Fleeing

By The United Press

San Antonio, Aug. 16.—A priest charged with trying to rape a coed in Edinburg, Tex., surrendered Tuesday but denied that he is guilty of the charge or fled the state because of it.

He is the Rev. John F. Feit, 27, charged with an attempt to rape Maria Guerra, 20, a coed in Pan American College March 23.

Authorities also have questioned him about the rape-killing of Irene Garza, 25, a schoolteacher and beauty contest winner, April 16 at McAllen, Tex., near Edinburg.

After Father Feit surrendered, the Rev. H. Kippes and the Rev. J. W. Gozad, both priests, and Ed Walsh, a San Antonio contractor and prominent Catholic layman, posted $10,000 bond for him. Father Feit returned to Texas from another state he would not name.

Father Feit left Sheriff Owen Kilday's office with Fred Semaan, his lawyer. The priest said:

"First, I would like to say I am innocent of the offense for which I have been indicted.

"Secondly, I am not a fugitive, nor have I been a fugitive.

'I Have Nothing To Hide'

"I am hiding from no one, simply because I have nothing to hide. After submitting to 32 lie-dector tests in Texas and in Chicago, after being questioned by many persons for several months, including one session with the Texas Rangers which lasted 14 hours, my nervous system was affected.

". . . I wanted to go to a hospital to get some rest and peace of mind. . . . Mr. Semaan advised me it was perfecly legal for me to go to a hospital at that time because there was no charge whatsoever against me at that time."

Lie Tests Voluntary

District Attorney Robert Lattimore said in Edinburg that as far as 32 lie-detector tests are concerned, Father Feit voluntarily agreed to take them.

He said the grand jury indicted Father Feit on the strength of testimony by Miss Guerra.

Miss Guerra charged that Father Feit slipped up behind her while she was kneeling in Sacred Heart Church in Edinburg and threw a handkerchief or towel over her face. She bit his finger, she said, and he fled.

Priest Hunted On Rape Charge

United Press International

EDINBURG, Tex., Aug. 12. —Authorities said today they were searching the Western United States for a fugitive Catholic priest indicted in Edinburg Wednesday on a charge of trying to rape a Pan American College coed, Maria Guerra.

One source who declined to be identified said he expected the priest, the Rev. John B. Feit, 27, to be surrendered within the next few days.

Authorities also wanted to get the priest'a side of the alleged attempted assault.

Father Feit's attorney, Fred Semann of San Antonio, said last week he would surrender the suspect to authorities in about three weeks.

Mr. Semaan was in La Jolla, Calif., when he made the announcement but he has since left La Jolla and his whereabouts are not known.

District Attorney Robert Lattimore has left the search for Father Feit up to the Hidalgo County sheriff's department. But Deputy Joe Garza said early today investigators had "no idea where he is."

In addition to the alleged attempt at assault on Miss Guerra, the priest has been questioned extensively about the rape and bludgeon murder of Irene Garza, 25, a former south Texas beauty queen.

Miss Guerra said she was attacked on the night of March 23 as she knelt in prayer at Edinburg's Sacred Heart Catholic Church. Miss Garza was killed on Easter Eve when she started to a McAllen church to attend a late mass. Her body was found five days later floating in an irrigation canal.

9685

Church Attacker Gets 15 Years

RICHMOND, Aug. 10 (AP) A Richmond laborer was sentenced Tuesday to 15 years in prison for beating and robbing a woman in prayer at St. Benedict's Roman Catholic Church last January.

Hustings Court Judge W. Moscow Huntley suspended five years of the term of John J. Neenan, 21, on condition of good behavior for 20 years.

Victim of the attack was Mrs. J. Kenneth Solari, 52, of Richmond, who was kneeling near the front of the church. She said her assailant crept up behind her, threw his topcoat over her head knocked her down. Then he opened her handbag, grabbed her wallet containing $3 and fled.

9685

Negro Beaten In Scuffle At White Home, Later Nabbed

The Montgomery Advertiser

Montgomery, Ala.

BIRMINGHAM (AP)—A young Negro, beaten bloody in a knife-and-bludgeon fight when caught in a white woman's house, led police on a 2½-hour chase Monday night.

Wed. 9-21-60

The battle and the chase ended in the early-morning darkness with the Negro shot and critically wounded and two white men suffering with knife wounds.

Police said the Negro, identified as Jarris Patton, 20, of Birmingham, choked and attempted to rape Mrs. William E. Clay.

Det. C. L. Stephens said he got a warrant Tuesday charging Patton with nighttime burglary of an inhabited dwelling—a capital offense.

He said Patton is under guard at a hospital.

The detective said Patton is on probation from a grand larceny conviction here last May.

Her son, George Clay, 21, came home during the attack, spotted the Negrgo fleeing through a hallway, and began tussling with him.

2-76

The Negro stabbed him with a kitchen knife as they wrestled into the kitchen.

The other sons, William Jr., 28, and Mack, 18, awakened by the scuffle, joined the fight.

A neighbor, Santo Cassenta, attracted by Mrs. Clay's screams, arrived with a baseball bat. Mack took the bat and clubbed the Negro on the Head several times, cracking the bat.

The man, knocked to his knees much of the time, made his way toward a window and crashed through it.

Police arrived and stood over the fallen Negro. Then, suddenly, he jumped up and fled as officers fired at him.

A police dog, one of several put into service for the first time Sunday night—picked up the Negro's trail. Later the Negro was spotted and shot as he ran out of a ditch.

Two of the woman's sons were treated for stab wounds. George was hospitalized with four wounds in his back and shoulders. William was treated for a wound in his shoulder and dismissed.

27j 1960

ALABAMA

9687

Negro Slaying Suspect Held In Confinement At Mobile

MOBILE (AP)—A Negro youth charged with killing a white man was held in solitary confinement Tuesday in the wake of a four-hour escape.

David Oakley, 17, of Mobile, was recaptured Monday night only about 10 blocks from the county courthouse as he hid in a parked automobile. He had jumped through a first-floor window of a conference room in the sheriff's office when officers left him alone momentarily.

Sheriff Ray D. Bridges said Oakley admitted orally only minutes before the break that he killed Melvin Bourne, 20, New Orleans clerk, April 1 in order to steal the latter's car. Officers were preparing to give him a lie detector test of the statement when he fled.

Bridges said a lie detector test given after Oakley's recapture indicated he was telling the truth concerning the slaying. He said a separate test cleared Harold Wallace, 28, Prichard Negro whom Oakley earlier had accused of firing the fatal shot.

The sheriff said no disciplinary action would be taken as a result of the break. He said he was in a nearby room when Oakley escaped and added he took full responsibility.

Bridges quoted Oakley as saying he went to New Orleans to steal a car, forced Bourne at gunpoint to drive him back to the Mobile area and shot him in the heart with a .38 caliber pistol on the East Fowl River bridge 18 miles south of Mobile.

Bourne's body was found floating in the river April 6.

Oakley was originally picked up on charges of burglarizing Mobile area homes.

271 1960

ALABAMA

SELMA, ALABAMA (Columbia, Ala.)
MOUNTED AND UNMOUNTED POSSES FORMED

9688

Posses form for Dallas if row comes

BY BOONE AIKEN
News correspondent

SELMA, Ala., March 12—Mounted and foot posses to assist the Dallas County sheriff's office in emergencies are being organized here.

Sheriff Jim Clark said members will be given special deputy status and will be eligible for riot duty.

Formation of the groups followed near-riots in racially tense Montgomery. Law enforcement officers, aided by special deputies mounted on horseback, limited outbreaks to scattered, quickly suppressed violence.

IN RESPONSE TO a public call, a crowd of 375 men turned out for an organizational meeting in the Dallas County courtroom.

Two organizations were formed, one for a mounted posse and the other for an unmounted posse.

J. O. Risner Jr. of Tyler, a farmer, was named captain of the mounted group.

W. M. Agee of Selma, a wholesale grocer, was named to head the unmounted group. He will be assisted by Morrow Chance, who was elected first lieutenant.

ACCORDING TO Sheriff Jim Clark, the group is still in the organizational stage.

He said that only a "select group of the highest type level headed citizens" will be used.

Members are to be available for immediate action in case of emergency.

Shelby To Form Mounted Posse

COLUMBIANA (AP) — Plans are under way for a mounted posse to keep peace in emergencies in Shelby County. It is the fourth county in central Alabama to announce formation of a posse.

Sheriff C. P. Walker said the possee would consist of 10 men.

Earlier, Montgomery, Dallas and Autauga counties announced plans for posses.

9689

ANGRY CONGOLESE

Lynch attempt

Soldiers Attempt To Kill Lumumba

The Montgomery Advertiser Fri. 9-16-60

LEOPOLDVILLE, the Congo (AP)—Angry Congolese soldiers tried twice Thursday to lynch Patrice Lumumba. They were twice foiled—first by U.N. Ghana troops, then by Congolese police of Col. Joseph Mobutu, 29, the Congo's emerging strongman.

"Koboma, Koboma! (kill, kill!)" the soldiers shouted at the disputed premier as he finally escaped, panic-stricken, from a visit to Camp Leopold II. 9-16-60

Lumumba had lost his grip on many of his Congo followers, both military and civilian, in a fight against President Joseph Kasavubu and Mobutu, lanky, army chief of staff.

It was a chaotic day that seemed to leave Kasavubu and Mobutu in command, though for how long was anybody's guess.

Lumumba's aides insisted Thursday morning that he had everything under control and that Mobutu was under arrest.

But Lumumba's visit to Camp Leopold, the base of the 3,000-man Congolese army garrison of Leopoldville, showed that was wrong.

Lumumba hoped to rouse the army against Mobutu, but was assailed at Camp Leopold by Congolese soldiers who are concerned over reports of casualties among their relatives in the now quieted Kasai Province civil war.

With his own Gen. Victor Lundula, Lumumba took refuge in the officers' mess of the Ghana brigade of the U.N. Command.

Armed Congolese tried to get at him in the building, but Ghana troops shoved them away. Some were thrown out after a struggle on a stairway.

"It was a very close shave," a British officer of the Ghana troops said. "The men were very, very angry. It looked as though nothing would stop them."

A few men were knocked down, but nobody was hurt.

"Lundula and Lumumba looked very frightened indeed."

For seven hours Lumumba and his general were besieged in the building. The Congolese pointed three machine guns at the mess door but let Ghana officers move in and out freely.

Then Mobutu sent his police to the rescue.

Blue-helmeted Ghana riflemen escorted Lumumba to the entrance soon after the warm, tropical night closed on the camp.

Screaming soldiers, many in steel helmets with camouflage nets, broke the police cordon as Lumumba was pushed into an army truck.

Lumumba's white sports shirt was torn.

The police formed a barrier of bayoneted rifles. The truck finally whisked Lumumba away to his residence, as Congolese soldiers shook their fists and roared for his death.

The truck dropped him at his residence overlooking the Congo River, where he apparently will be free to try again to regain mastery over the Congo.

Gen. Lundula chose not to go in the truck. The ex-sergeant, who has been the army's commander in chief, left by the mess hall's back door. He was not pursued.

But hundreds of aroused soldiers still milled inside the camp and no one would guess what turn events would take.

The unruly Congolese soldiers were infuriated by reports of numerous casualties among their families in Kasai.

At least 1,000 persons were reported killed and uncounted thousands wounded in the action between Lumumba's troops and secession-minded Baluba tribesmen in Kasai before the U.N. announced a truce last Saturday. Many of the Congolese soldiers here are Balubas.

Outside the camp, Congolese shouted for Lumumba's blood.

"Down with Lumumba the Communist," was a cry of demonstrators in Leopoldville streets.

A U.N. spokesman said Lumumba "requested the protection of the United Nations Ghana forces because of the excitement and agitation in Camp Leopold."

Mobutu and Kasavubu clearly held the upper hand at the end of a chaotic 24 hours of coup and countercoup.

To cheers of Belgian settlers, Mobutu announced at a sidewalk cafe Wednesday night that he and the army had seized power from the politicians and intended to throw out the Communists and run the country for the rest of the year with Western technical assistance.

'Anyone For A Lynching?' Said Congolese Soldiers

The Birmingham News

IN THE EMBROGLIO of the Congo things proceeded in hectic fashion as they seem destined to proceed for some time to come. But now in the struggle last week there came a novel angle. Ghana soldiers, who represent the UN and are Negro, only by a slim margin managed to prevent a crew of native Congolese soldiers from actually lynching Patrice Lumumba, the sometimes-is sometimes-ain't premier of that troubled land.

P 16

Birmingham Ala.

The lynching attempt brought wry smiles from some with whom we talked. This because the term lynching almost customarily is applied by the uplifters only to tragic incidents in the American South.

Sun. 9-18-60

One wag suitably put the question whether Tuskegee Institute, which keeps records annually on lynchings in this country, and most especially in the South, might serve some purpose by starting a record of such acts in the African hinterland.

9690

Rape Report Sends Posse After Negro

The Florida Times-Union
Jacksonville, Fla.

LAGRANGE, Ga., May 17 (AP)—A posse searched nearby woods today for a Negro wanted in the reported rape of a young white woman during a $250 robbery at a drive-in restaurant.

Sheriff L. W. Bailey described the man as in his late 20s.

The sheriff said the woman reported she was raped twice in a back room of the drive-in yesterday while her terror-stricken grandmother was forced to stand outside the room.

"He threatened to shoot us both," Bailey quoted the younger woman as saying. "We could see the outline of his gun under his shirt."

The younger woman worked at the drive-in on U.S. 29 north of LaGrange. Her grandmother was visiting at the time and they were the only persons in the immediate area.

The woman said the man took about $250 from the cash register after he raped her and fled into the woods.

Negro Who Swore Warrants Shielded

The Atlanta Constitution
Atlanta, Ga.

Constitution State News Service

HAZLEHURST—A Jeff Davis County Negro who said he was beaten and shot several times by five white men was placed in protective custody of state and county officers Thursday after he swore felony warrants for three he named as assailants.

J. L. Howard, 30, swore the warrants after being released from Appling General Hospital Thursday.

Officers declined to release names of the accused pending further investigation. The warrants charge assault with intent to murder. No motive for the assault has been suggested.

Immediately after issuing the warrants, officers whisked away Howard to an undisclosed location where they said he is being held in "protective custody."

The investigators said all matters relating to their inquiry will be turned over to Solicitor General Glenn Thomas of Jesup for disposition.

9691

Military and Police Teams

The Pittsburgh Courier

Jamaicans Guard Murder Trial of 8 U. S. Negro Youths

Pittsburgh, Pa

Sat. 10-1-60

27j

By KEITH CLARKE

KINGSTON, Jamaica—Perhaps for the first time in the history of criminology in Jamaica a combined team of military and police personnel threw the strongest cordon around the Kingston High Court as the trial of eight American Negro youths and one Jamaican on charges of murder and treason felony began before the chief justice.

Their trial stemmed from subversive activities in the rugged Red Hills terrain between April this year and June when five persons including two British soldiers of the Royal Hampshire and three members of the bearded Rasta Fari cult were killed by the American desperados.

Charged are Reynolds Henry, son of the Rev. Claudius Henry, self-styled leader of the Ethiopian Coptic movement; Al Thomas, Eldred Morgan, George Damons, William Jeter, Howard Rollins and Albert Gabbidon (Gabbidon is a Jamaican).

■

THE PRISONERS are charged on five counts involving murder and having unlicensed firearm in their possession with a view to intimidate and overawe the Government of Jamaica thereby overthrowing its lawfully constituted Government by force against the will of the people of the island.

The famous trial which has attracted interest from all over the world is being heard by the Chief Justice Sir Colin McGregor. The prosecution is being led by Huntley Monroe, Crown Counsel and L. L. Robotham. The prisoners are being defended in the following order: W. B. Frankson appears for Reynold Henry; W. B. Wilkie for Al Thomas; Gladys Morrison for Howard Rolling and William Jeter; Basil Rowe for Eldred Morgan and George Damons; Daniel Coore for Leroy Malnchal, and Fernandes McCartney for Lawrence Richburg. They have all pleaded not guilty to the various charges.

A powerful transmitting radio has been installed in the court which will be used for dispatching urgent messages for reinforcements just in case. The prisoners were taken to court in tattered garments each handcuffed and a policeman clutching at the back of his waist. In the dock which has been enlarged to accommodate them, a senior police officer sat, while a constable stands between each prisoner with club in hand.

THE TRIAL BEGAN in a packed courtroom. Present was the American Consulate General Robert McGregor, who is watching the proceedings on behalf of the American Government.

It was in that background that the first witness, Adolphus Christie, a member of the Ethiopian movement, who took part in the subversive operations against the Government, gave his evidence.

Christie, in his examination in chief, said he was a laborer residing at Red Hiss, some seven miles from Kingston. Rev. Claudius Henry, now in jail for treason felony, without bail, was the leader. His headquarters at 78 Rosalie Ave., was raided by the police on April 6. Shortly after a number of Jamaicans came to his place, and, with his consent they started building huts for the establishment of a camp. After one or two huts were built some Americans started to arrive. He identified them in court as the prisoners. They began to train them in flatfoot drilling and a particular spot was leveled down and used as what he described as "parade ground."

The Americans were heavily armed with revolvers and submachine guns. There were about 25 to 30 men at the camp. He visited them daily and got his share of instructions. On June 15 around 5:30 to 6 A. M., there was a knock on his door and on looking he saw one Calvert Beckford (second in command to Rev. Mr. Henry) outside, crying. Beckford requested a Bible which he lent him and he returned to the direction of the parade ground.

■

SOMETIME LATER that day another Jamaican requested from him a fork and shovel which he lent him. He later understood that the Americans had "courtmartialed" and shot three Jamaicans whom they had found guilty of "high treason" plotting the black race.

Allan Irvin, the witness, himself a member of the movement, in the witness box dropped his voice, reached for his handkerchief and took a long breath as he recounted his experience on that horrible morning of June 15 when he, along with four other Jamaicans, were tried for treason; commanded by Eldred Morgan to "lay down on your bellies" to face the firing squad.

Irvin, also a laborer, anxious to go to Africa, joined the movement about nine months before April 6.

He said following a raid on their headquarters by the police, he fled along with others to the rugged Red Hills terrain and there they established a camp to defy the Government.

Sometime later some Americans were identified as the prisoners began to arrive at the camp. They began to train them extensively in the use of firearms and guerrilla fighting. On the morning of June 15, he was awakened around 6 o'clock by Beckford (dead) and along with four others they went to fetch some grass about a half-mile away, for the completion of huts. On returning with the grass, they were halted by Eldred Morgan, who told them they should drop the grass and march to the parade ground. They marched with the gun behind them. At the parade ground they were told that they were found "plotting against the black race," for which the penalty was death by shooting. They were tried by Henry as "Commander-in-chief" and found guilty. "Get on your bellies boys," was the command given by one of the Americans. All five Jamaicans obeyed the command after some cross-talking among them as to the reasons for their trial. Three of them were shot in the ears Some minutes later he heard a whispering among the Americans and a command was later given to "jump up, boys." They obeyed.

9692

Posse, Hounds Hunt Assaulter

2 White Women Attacked In Kenner—All Negroes Ordered Off Streets

KENNER, La., July 26.—Fifty armed men and bloodhounds scoured the Kenner area Tuesday for a Negro who allegedly crimminally attacked two white women, and all Negroes were ordered off the streets by nightfall.

The manhunt began Monday night when a housewife told police she saw a "nude Negro man" in the area. Officers said the man, who already has attacked two women, tried to assault another woman Tuesday night.

Police fired a shot at what was believed to be the attacker, but he escaped and the posse lost his trail less than a mile from the wouldbe victim's home.

State police reported tension was mounting in the New Orleans suburban town. Kenner Police Chief Fred Roth said, "We're doing everything possible to catch him."

Last Thursday, the Negro attacked a 50-year-old woman and 25 hours later a 17-year-old white mother.

Officers have described the man as "large, cunning and talktive." They say he chatters constantly as he moves in on his victims.

Police have put in a call for additional bloodhounds from Angola State Prison.

27j 1960

MASSACHUSETTS

9693

Lawmen Hold Mob Off 13 Rape Suspects

Threatening Crowd Surrounds Area As Court Under Way

LEOMINSTER, Mass (UPI) — Firemen equipped with pressure hoses joined a small army of police today to head off possible violence as 13 suspects were brought to district court in the kidnap-rape of a 19-year-old girl.

Two of the accused rapists are Negroes.

The center of this Massachusetts city was roped off and traffic was diverted from the courthouse area.

State Public Safety Commissioner J. Henry Goguen personally directed 50 troopers in maintaining order. More than 40 Leominster police formed the nucleus of the uniformed force.

Small groups of citizens, outraged over the June 24 assault, began gathering near the courthouse but troopers armed with riot guns said no crowds would be allowed to form.

Authorities said police standing a few feet apart would surround the courthouse to hold back possible hostile crowds.

The principal witness is Police Chief George H. Smith, who read a series of statements by the suspects at Friday's hearing.

PASTORS ENTER PLEA

At Smith's request, pastors urged their flocks in Sunday's sermons to stay away from the courthouse today.

At the opening hearing last Friday a mob of 3,000 persons surrounded the court house screaming, "Lynch them, hang them, break their necks" when the youths were led from the building. They were taken to Worcester County jail, 20 miles away, for the weekend.

The gang is charged with the mass rape of a 19-year-old girl, who is a member of a respected family, and the robbery-beating of her 20-year-old boyfriend, a college student.

According to police, the roving band of hoodlums found the couple in the youth's car parked in a deserted area June 24. The girl was dragged from the vehicle and raped repeatedly. She and her escort then were driven around in his car for four hours before they were released. Police quickly rounded up the suspects.

All have pleaded innocent to the charges and are held in total bail of $670,000.

9694

Posse Captures Rankin Sniper

Delta Posse, Bloodhounds In Throwing Of Hay

LOUISVILLE, Miss. — (ANP) — They sent way up to Parchman where the state penitentiary is to get bloodhounds, and when they arrived about 10 p. m., Winston County Sheriff Jack Warner, a bunch of his deputies, a contingent of state highway patrolmen and some citizens, all heavily armed, formed a posse.

They trailed the Negro fugitive for more than five miles through woods and swamps and finally lost his trail on a highway about 4:30 a. m. It was a cold bitter night but they were determined.

Sheriff Warner said the hunt for the Negro would be resumed. "He must be caught," he announced.

What did the Negro do?

Well Farmer Thad Kinard went out to his barn about 5 p. m. and heard a noise up in the hayloft. He climbed up a ladder and stared [illegible] him. Instead of coming down, the Negro hurled a bale of hay at Kinard knocking him to the ground. When he got up, the Negro tossed down several more bales.

By the time Thad Kinard could get to his feet, the Negro had fled. Kinard, bruised and mad, called the sheriff and the manhunt was on.

Motel Held Up, White Man Shot

By RAY SADLER
Daily News Staff Writer

A posse of heavily armed law enforcement men today captured a Negro who held up the Congress Inn Motel last night and shot a man in the leg early this morning between Highway 80 and Old Brandon Road.

The fugitive was caught in a swampy wooded area east of the Pearl River between old and new Highway 80, at 9:20 a.m. He was nabbed after the Hinds county bloodhound and a pack of beagle hounds flushed him from hiding in the woods.

The Negro walked into the Congress Inn Motel office at 11 p. m. with a .22 pistol in his hand last night and told the clerk on duty, R. L. Payne, to "open the safe and give me all your money." The Negro, described as being five feet six inches tall, picked up $200 in currency and change and sprinted away from the motel on foot.

Rankin county Sheriff J. R. Edwards Jr., sped to the scene with a force of deputies and set up roadblocks at the Woodrow Wilson bridge on old Highway 80 and on new Highway 80.

Two Negro men and a Negro woman riding on old 80 were flagged down by the Negro. They picked him up and told the unidentified bandit they would take him to Jackson for 25 cents. As they neared a roadblock near Paces Garage on old 80 the Negro jumped out of the car and ran into the woods. The other Negroes in the car told officers about the incident and the Hinds county bloodhound was sent to the scene.

Hinds county radio operator and dog handler Emmitt Adams with his bloodhound trailed the fleeing fugitive for about two hours this morning.

Brandon Town Marshall Jack Smith sighted the Negro running through the woods at one P.M. and fired over his head twice. The bloodhound lost the trail in the woods after Smith shot at the Negro. The manhunt was then called of.

Officers sped back to the area when an unidentified white man reported he had been shot above his right knee by a Negro. The white man told officers the Negro walked up on him in the woods where he had been sleeping, shot him and ran off. The white man was taken to a Jackson hospital, where he is being treated.

Hinds county sheriff's officers, highway patrolmen, Jackson policemen and Rankin county constables arrived on the scene early this morning to assist in the manhunt.

At 9 a.m. this morning they were positioned along Highway 80 and completely surrounded the forested area. The Jackson Police Department is furnishing walkie-talkie communication for the man hunt.

A pack of beagles was released this morning in the wooded area ahead of the bloodhound, in an effort to flush the fleeing Negro.

The fugitive answers the approximate description of a Negro who robbed the motel about two months ago.

WANTED WHITE 'DATE'

Officers Search For State Negro

HOULKA, Miss. (Special) — Chickasaw county authorities are pressing a search today for an unidentified Negro man who asked a "nice looking" white school teacher for a date Thursday night.

Sheriff R. B. Griffin said today he has called off the manhunt, which had a Parchman bloodhound and 20 armed law enforcement officers combing an area north of Houlka Thursday and Friday.

"I think the Ngro lived around Houlka, Sheriff Griffin said this morning, but the woman didn't get a good look at the man."

The woman, 40, was approached by the Negro at her home Thursday night as she returned from the store according to Sheriff Griffin.

"When she started into the house she heard somebody walking behind her on the gravel driveway. Sheriff Griffin said the woman told him the Negro was asking for work by "could not talk plain."

The teacher walked up on the front porch of her home and the Negro was standing in the yard asked her for a date. The school teacher walked into her house, the sheriff said, "closed the front door and looked out a window and he ran off.

"She couldn't describe him," Griffin said. "He never got any closer than 40 feet."

Authorities had rounded up about 20 Negroes yesterday morning during the manhunt but they couldn't "find out anything." Griffin said he called the bloodhounds off yesterday but still had several officers searching for the negro.

The sheriff refused to identify the woman who said she lived with her mother.

Griffin said he had "rather not say" what charges would be filed if the Negro was apprehended.

Negro Escapes Pententiary; Manhunt Begun

PARCHMAN, Miss. (Special) —Bloodhounds are trailing a 40-year-old Negro convict who escaped from the Parchman State Penitentiary yesterday afternoon, near Dublin in south Coahoma county.

The Negro, identified as Norman Peacock, was reported missing from camp No. 10 about 6 p. m. yesterday. Bloodhounds, trustees and armed prison guards have been on the manhunt all night according to penitentiary officials.

Dublin is located 16 miles north of the sprawling state prison farm.

Peacock, identified by the highway patrol as being abount 40 years of age, is five feet eight inches tall and weighs 138 ponuds.

Parchman officials did not say what Peacock had been imprisoned for.

Latest reports from the manhunt scene indicated bloodhounds had been trailing the Negro for 12 hours.

Negro Escapes Officers, Dogs

Asking White Teacher For Date Starts Manhunt At Houlka

By United Press International

HOUSTON, Miss., July 8.. — Twenty law officers and two bloodhounds combed the Houlka area north of here Thursday night in the search for a Negro who was reported to have asked a white unmarried school teacher for a date, Friday.

Chickasaw County Sheriff R. E. 'Bunk' Griffin said Friday the teacher, 40, and described as "nice looking," was approached by the Negro at her home about 8 p.m. Thursday as she returned from a store.

Asking For Work

"When she started into the house she heard somebody walking behind her on the gravel driveway," Sheriff Griffin said. He said the woman told him the Negro was asking for work but "could not talk plain."

The teacher, said the sheriff, walked onto the front porch and

the Negro, who was standing in the yard, asked her for a date.

The school teacher walked into her house, the sheriff said, "closed the front door and looked out a window and he ran off.

"She couldn't describe him," Griffin said. "He never got any closer than 40 feet."

Negroes Rounded Up

Sheriff Griffin said authorities rounded up about 20 Negroes during Thursday night's manhunt but that they couldn't "find out anything." He said the bloodhounds had been called off and only a few officers were searching for the Negro Friday.

Sheriff Griffin, who refused to identify the woman, said she lived with her mother.

The sheriff said he had "rather not say" what charges would be filed if the Negro were captured.

27j 1960

MISSOURI

9695

Posse Nabs 2 Escapees In Missouri

JEFFERSON CITY, Mo. (AP) —Baying bloodhounds cornered two escaped convicts Sunday night and they surrendered meekly after a wild flight in which they overpowered a guard, tied up six persons in a farm home, and took a housewife as hostage.

The two, Cecil Clayton Lillibridge, 39, and David Parrish, 25, fired at pursuers and wrecked their escape car before fleeing into timber, where they handed over a rifle and gave up.

The housewife, Mary Strobel, 32, was released unharmed when the fugitives' stolen car went out of control on a curve and crashed into a tree.

Both convicts were returned to the Missouri State Prison, where Lillibridge is serving 20 years and Parrish 10 years, both for armed robbery.

Flight of the two, assigned as trusties at the prison garage outside the walls, began Sunday when they overpowered a guard, Alfred Andres, 51. One put on the guard uniform. The convicts then drove away in a state car.

At the Oscar Sommerer home, 12 miles south of Jefferson City, the prisoners tied up Sommerer, 49; his mother, Augusta Sommerer, 72; his wife, Marie, 42; and his son, George, 10.

Another son, Floyd, 22, also was tied up when he returned from a hunting trip, fought with the convicts, and was knocked out.

Lillibridge and Parrish obtained two shotguns, a .22 automatic rifle and a .22 pistol at the Sommerer home. They spent more than three hours there, changing clothes and even shining the shoes they took.

Mrs. Strobel became a captive of the pair after she and her husband, Elbert E. Strobel, a Jefferson City businessman, arrived at the Sommerer home for a visit.

Putting Mrs. Strobel between them in the front seat of Floyd Sommerer's car, Lillibridge and Parrish drove away.

George Sommerer freed his family. With his teeth, he got hold of a hanger and used it to hook a pair of scissors from a sewing box. He then cut the strips of bed sheets used to tie him, released the others and notified the highway patrol.

Mrs. Strobel said the men had fired at a car behind them in the belief it was a patrol car.

When patrol Lt. F. A. Jones almost caught up with the fugitives, Lillibridge lost control of the automobile. After it went through two fences and hit a tree, the men piled out, took a shot at the trooper, then ran for the woods, Mrs. Strobel reported.

"It was every man for himself," she said. "They left me there."

Jones wasn't injured, although the bullet went through the windshield of his car and glanced off his shoulder strap.

A posse, with bloodhounds, surrounded the area 25 miles southwest of Jefferson City and cornered the convicts.

Wrong Man Is Shot

Charleston, S.C. Negro Mistaken For Prisoner Sought In Death

Pge. 3-A.

RALEIGH (AP) — A Negro youth was accidentally shot Friday by a posse mistaking him for a fugitive wanted in connection with the butcher knife slaying of a white woman.

Highway Patrolman A. B. Clayton said the victim, 21-year-old Charlie Hinton of nearby Knightdale, was hit in the head and back.

The incident occurred near the Neuse River Bridge on U. S. 64 about six miles east of Raliegh. The huge posse concentrated in that area when it learned of the presence of a Negro resembling Robert Tyson.

Tyson, an honor grade prisoner serving time for assault with intent to commit rape. Tyson is wanted for the slaying of Mrs. Clyde Farnell, 45.

She was stabbed to death shortly after Tyson walked off his job at Camp Polk Prison near Raleigh. The body was discovered in a storage shed behind the house by the victim's 16-year-old daughter, Mary Elizabeth Farnel..

Earlier Friday searchers concentrated on the Millbrook area north of here after the stolen Farnell car was found abandoned there. Police said Tyson's bloody shirt was near the car.

Mrs. Farnell's body bore 17 stab wounds.

Bennett said the slaying looked like the work of a maniac.

Asst. Prisons Director Bob Allen, who took part in the search for Tyson, said "the only promising thing we have is that we don't have any proof that he got out of the Millbrook area."

The Highway Patrol said two break - ins were reported in the Millbrook area over night and that a Negro boy had seen a Negro man duck into the woods.

Tyson, 41, of High Point, worked as a butcher in the prison slaughter house. He carried meat scraps almost daily to the Farnell home nearby to feed the dogs. Mrs. Farnell's husband was in charge of the prison kitchen.

Tyson was sentenced in Guilford in 1953 to 10 years for highway robbery and 8 to 10 years for attempted rape of a white woman.

Meanwhile, a drive by citizens to get Camp Polk removed gained impetus following the killing. The campaign gathered steam last fall after Trent Ragland, wealthy Raleigh businessman, was slain in a cabin in the area. A murder charge was brought against a convict who had been released from the camp the same day.

Posse Tracks Down Negro Man After Patrolman Is Wounded

The News & Observer, Raleigh, N.C. Sun. 6/12/60

PITTSBORO — A State Highway Patrolman was shot in the leg Saturday afternoon as he tried to place a Negro lumber worker under arrest on drunk charges.

The wounded officer Pfc. Jimmie B. Williford of Siler City, is married and the father of two daughters.

A spokesman at Siler City hospital said last night Williford's condition was "excellent".

Williford was shot one time in the right thigh with his service revolver during a scuffle with Dennis Dewey Postom, 26-year-old Pittsboro lumber worker.

The shooting took place around 2 p.m. three blocks from Chatham County Courthouse. Less than three hours later a heavily armed posse tracked down Postom with the aid of bloodhounds.

The exhausted Negro surrendered without a fight.

The chase covered five-mile half circle through a densely wooded area. It began on US 64 east a few blocks from the heart of Pittsboro and ended in a field of tall grass behind Horton High School just off US 15 on the south side of town.

Patrol Sergeant J. S. Jones talked with Williford shortly after the shooting. He pieced together this account:

Williford was patroling US 64 coming into Pittsboro from the west. He fell in behind a suspicious car which turned north off the highway onto Fayetteville Street two blocks from the courthouse.

He stopped the driver a block later to make a license check. At this time Postom "staggered by on foot", Sgt. Jones reported.

Patrolman Williford placed Postom under arrest on charges of public drunkeness. A scuffle ensued as he tried to put the Negro in his car.

Postom got hold of Williford's 38 caliber service revolver. In the struggle one shot was fired. It tore through the patrolman's right thigh.

He fell to the ground and Postom ran taking the revolver with him.

Raleigh, N.C.

Another Negro, from nearby Powell Apartments, carried the wounded officer to Mathieson's Clinic in Pittsboro. Later he was transferred to a Siler City Hospital. Sun 6/12/60

Over 50 officers were quickly marshalled in the Pittsboro area. Most of them were Williford's fellow patrolmen from Chatham, Lee and Wake Counties. Sherriff's officers, policemen from nearby towns and a few prison department men filled out the group.

Chatham County Sheriff J. W. Emerson and one deputy went to Postom's house on a hunch. However, They learned Postom had just come home, so they parked down the street and radioed for help.

Their car was spotted and by the time they moved on the house the Negro was gone. "His brother admitted Dewey had been there, and had left with the revolver," the sheriff said.

Bloodhounds were brought in from the Prison Department's camp near Carthage in Lee County. And the Highway Patrol threw up a series of roadblocks on every outlet 10 miles around Pittsboro.

The bloodhounds picked up Postom's scent just off US 64 east of town. He was headed south through a thickly wooded area.

Highway Patrolman W. A. Riggsbee of Sanford and D. M. Dyson and D. R. Emory of Wake County lead the chase on foot. Three Prison Department men aided them. They were heavily armed with shotguns, rifles and a sub-machine gun.

Postom first ran south and east, and then cut back west. Twice he came out of the deep underbrush and ran through pig pens, but the dogs held on to his scent.

The posse gained on him as he tired, and after five miles he could run no more.

The officers approached him at the edge of a field of tall grass behind Horton High School on the south side of town.

"We shouted at him to halt," Patrolman Dyson said, "and he just turned around and put his hands in the air. As we walked up on him he said, 'I'm the one'."

The exhausted Postom lit a cigarette and trudged meekly between the patrolmen to the school house. The thick underbrush had torn his checkered shirt and blue-jeans badly.

Postom said he had hid Williford's revolver shortly after he ran into the wooded area. He led patrolmen back around to US 64 and behind a building near an old lumber planing mill.

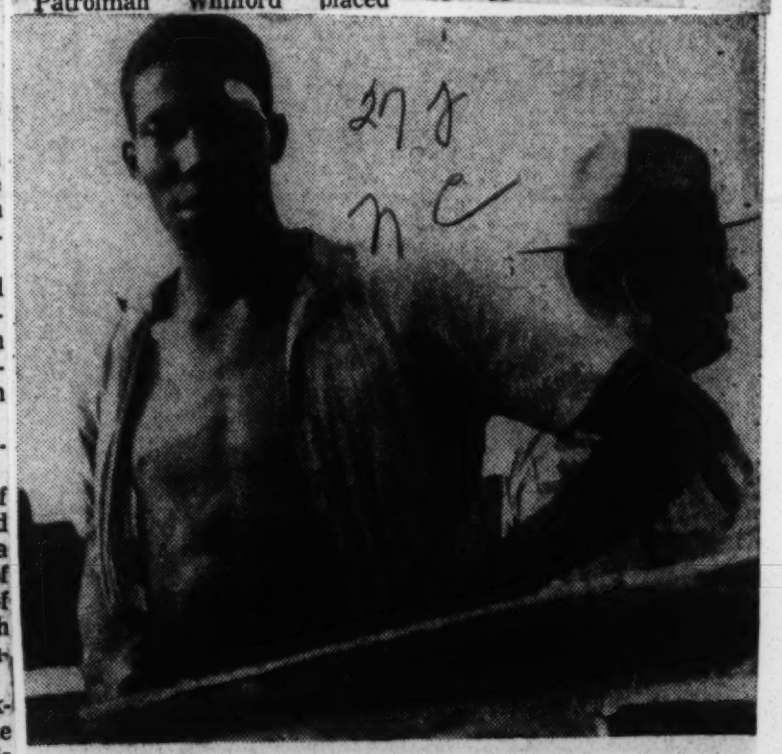
The revolver was under several folds of a discarded rug. The officers brought it in on a stick for a fingerprint check.

Postom was locked up in Chatham County Jail in Pittsboro. He is charged with public drunkenness, disorderly conduct, resisting arrest, and assault on an officer with a deadly weapon with intent to kill.

He is under $5,000 bond, and will get a hearing as soon as Patrolman Williford is released from the hospital.

The thigh wound will not result in any permanent injury. Williford should be released from the Siler City Hospital within a few days, his physician said.

The 26-year-old Postom has been in trouble with the law on several other occasions. Sheriff J. W. Emerson said the Negro has served two terms on the roads, and was released from the last one only a few months ago.



POSTOM UNDER ARREST AFTER CAPTURE BY POSSE

Father Shoots Alleged Rapist

Sun. Courier-Journal

CHARLOTTE, Amalie, Virgin Islands (AP) — A man accused of raping a 12-year-old girl was shot in the face and body six times by the girl's father during a recess at his trial in district court Monday.

The defendant, Benito Kline, was listed in critical condition Monday night at Knudhansen Memorial hospital.

An earlier report erroneously said he died en route to the hospital. Tues. 6/14/60

The child's father, Harold Norman, was charged with assault with intent to commit murder and was released under $5000 bail.

Kline was being tried on a charge of statutory rape, which carries a maximum sentence of 15 years.

9697

LYNCH THREATS TOLD

Commercial Appeal
Memphis Press-Scimitar

Sheriff Attempts To Protect Raby And Family

KNOXVILLE, Aug. 30.—(UPI)—Sheriff E. B. Bowles indicated Tuesday he refused to turn Clarence Raby over to Anderson County authorities for prosecution on two murder charges to prevent a lynching.

Bowles said Mrs. Tilman Raby, mother of the fugitive who made the FBI's 10 most wanted list while hiding out from posses for seven weeks, told him lynching threats had been made to her family.

"Since we brought the boy in, we wouldn't want anything to happen to him," Bowles said.

Murder warrants have been issued for Raby in the killing of Andersonville merchant Frank Keith and Union County Deputy Ben Devault. Raby surrendered Sunday night after hiding out in woods near his home.

27j 1960

TENNESSEE

9698

Posse Closes In On Killer's Woods

Philadelphia Inquirer

KNOXVILLE, Tenn., Aug. 2 (UPI).—Bloodhounds and a 50-man armed posse trailing badman Clarence Raby surrounded a thick woods and closed in warily Tuesday, anxious to avoid further bloodshed in their manhunt.

Two men were killed and two wounded Monday in the search for Raby, a fugitive wanted for the shotgun slaying-robbery of an Anderson county, Tenn., storekeeper.

Deputy Ben DeVault was killed instantly by a bullet in the head when the ex-convict ambushed him by wrecking a stolen car in which he was fleeing.

Another exchange of gunfire left Dan Cooper, 27, a neighbor of Raby, dead. His father, Kaley Cooper, also was shot and wounded critically.

Knox county police said Cooper was shot after he fired at deputies from ambush. Cooper's neighbors claimed he was shot by nervous deputies and quoted Kaley Coper as saying neither he nor his son fired a shot.

Knox County Sheriff E. B. Bowles said both Coopers had fired their guns.

Deputies claimed the younger Cooper yelled "raise your hands" and fired. Deputies Jim Colquitt and Hoyt Wooliver contended they opened fire on the two only after they were fired upon.

The hunt started Monday after Raby robbed the B. S. Coppock family at gunpoint, taking two pistols, a shotgun, $135 and the family car.

Deputy DeVault, driving with his brother Lloyd, spotted Raby and gave chase.

Raby wrecked the stolen car to block the highway and killed DeVault in a short gun battle.

He then commandered a pick-up truck owned by farmer Fred Rutherford. Rutherford, released by the elusive killer later, said, "He forced me to lie down in the back of the truck while he drove."

Raby left the truck inside the city limits and walked to a tavern where he abducted Mr. and Mrs. Thomas J. Jones in their car. He later released the couple after hitting Mrs. Jones on the head with his pistol.

9699

Negro is hanged by heels, K's cut into body

HOUSTON, Tex., March 8—(AP)—Four masked white youths hung a Negro man from a tree by his heels last night and scratched two series of KKK's into his chest and stomach after beating him with chains, the Negro told police.

Felton Turner, 27-year-old Negro, said he freed himself from the ropes around his ankles and wrists, staggered to a night-watchman's shack and telephoned police.

A DOCTOR AT Jefferson Davis Hospital said Turner was treated and released this morning.

The six K's ranging from 1½ inches to three inches in length and went from Turner's chest to his stomach, the doctor said.

Police said Turner told them he was walking near his home in a Negro residential area at 10:15 p.m. when two masked white youths leaped from a car and grabbed him. They carried him and forced him into the back seat of a sedan.

Two other masked white youths were in the front seat, Turner said.

TURNER SAID HE struggled, but the youths gagged him and beat him to the floor of the car with chains.

They took him to a wooded area where he was tied and hung from the tree by his heels, he said.

The youths beat him with chains and rope, cut off his jacket and shirt and scratched the K's on his stomach and chest with a knife, Turner told police.

As the youths were leaving one of them told Turner that if he tried to escape one of them would kill him, the Negro said.

Police Lt. Breckenridge Porter said Turner's wounds could not have been self-inflicted.

TURNER, AN UNEMPLOYED awning worker, said a red-haired youth in the front of the car told him they were hired to do a job because of publicity Texas Southern University Negro students received over sit-ins at a lunch counter at Houston in the past few days.

A group of students from the all-Negro university staged their first sit-in Friday at a lunch counter in a supermarket. The sit-ins spread to a drugstore Saturday and a third store yesterday.

Houston schools have 170,000 students and is the largest segregated school system in the nation. About 50,000 are Negroes.